

JOURNAL
OF
THE SENATE
OF THE
STATE OF ALABAMA,
SESSION OF 1882-83,
HELD IN THE
CITY OF MONTGOMERY,

Commencing Tuesday, Nov. 14, 1882.

WITH AN INDEX,
Prepared by the Secretary of the Senate.

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JOURNAL.

FIRST DAY.

STATE CAPITOL OF ALABAMA,
SENATE CHAMBER,
Montgomery, Tuesday, November 14, 1882.

This being Tuesday after the second Monday in November, A. D. 1882, and the 14th day of the month, the day fixed by law for the biennial meeting of the General Assembly of the State of Alabama, the Senate assembled in the Senate Chamber, at 12 o'clock, M., and was called to order by Hon. Jno. D. Rather, President of the Senate.

On motion of Mr. Grant, Wm. L. Clay, of Madison, was elected temporary Secretary.

The roll of Senatorial Districts being called, the following Senators answered to their names, to-wit:

FROM THE DISTRICT COMPOSED OF THE COUNTIES OF

1. *Lauderdale and Limestone*—Thos. N. McClellan.
2. *Colbert and Lawrence*—James Jackson.
3. *Blount, Morgan, Cullman and Winston*—John C. Orr.
4. *Madison*—David D. Shelby.
5. *DeKalb, Marshall and Jackson*—Preston Brown.
6. *Etowah, St. Clair and Cherokee*—S. K. McSpadden.
7. *Cleburne and Calhoun*—L. W. Grant.
8. *Clay and Talladega*—Merit Street.
9. *Chambers and Randolph*—R. S. Pate.
10. *Macon and Tallapoosa*—A. L. Brooks.
11. *Tuscaloosa and Bibb*—A. C. Hargrove.
12. *Lamar, Marion, Fayette and Franklin*—A. L. Moorman.
13. *Shelby, Jefferson and Walker*—J. B. Luckie.
14. *Pickens and Greene*—J. A. Billups.
15. *Coosa, Chilton and Elmore*—W. P. Oden.

16. *Lowndes and Autauga*—Willis Brewer.
17. *Butler and Conecuh*—G. R. Farnham.
18. *Perry*—A. C. Davidson.
19. *Clarke, Choctaw and Washington*—Henry Ware.
20. *Marengo*—J. F. Griffin.
21. *Monroe, Escambia and Baldwin*—W. Y. Titcomb.
22. *Wilcox*—R. C. Jones.
23. *Henry, Coffee, Dale and Geneva*—F. M. Rushing.
24. *Barbour*—A. H. Thomas.
25. *Orenshaw, Pike and Covington*—L. H. Bowles.
26. *Bullock*—J. T. Norman.
27. *Lee*—Geo. P. Harrison, Jr.
28. *Montgomery*—D. S. Troy.
29. *Russell*—J. B. Mitchell.
30. *Dallas*—A. V. Gardner.
31. *Sumter*—A. G. Smith.
32. *Hale*—Thomas Seay.
33. *Mobile*—L. E. Brooks—33.

On motion of Mr. Brown, W. J. B. Padgett, of Jackson, was requested to act as temporary Doorkeeper.

On motion of Mr. Titecomb, Eddie Woodward and Lothair Brooks were appointed temporary Pages.

The Senators, newly elected, presented their certificates of election, and the oath of office, prescribed by the Constitution of the State, was administered to them by Hon. John D. Rather, President of the Senate; their names being as follows, to-wit: Messrs. Billups, Brewer, Brooks of Macon, Davidson, Gardner, Griffin, Jackson, Jones, McSpadden, Moorman, Norman, Seay, Shelby, Street, Thomas, Troy—16.

At 12:30 p. m., on motion of Mr. Seay, the Senate adjourned till 10 a. m. to-morrow.

SECOND DAY.

WEDNESDAY, Nov. 15, 1882.

The Senate met pursuant to adjournment, and was called to order by Hon. John D. Rather.

Present—Messrs. Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Harrison, Jackson, Jones, Luckie, Mc-

Clellan, McSpadden, Mitchel, Moorman, Norman, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy and Ware—31.

The President announced that the first business in order was the election of permanent officers of the Senate.

Mr. Norman placed in nomination for President of the Senate, the name of Hon. Geo. P. Harrison, Jr., of Lee.

Those who voted for Mr. Harrison, are :

Messrs. Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, McSpadden, Mitchel, Moorman, Norman, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy and Ware—30.

Mr. Harrison having received the whole vote cast, was declared duly elected President of the Senate for the time prescribed by law.

On motion of Mr. Seay, the President appointed a committee of three, consisting of Messrs. Seay, Luckie and Billups, to inform Mr. Harrison of his election, and conduct him to the Chair.

Mr. Harrison was conducted to the Chair, and after returning briefly his thanks for the honor conferred upon him, the oath of office prescribed by law was administered to him by the Hon. John D. Rather, President of the Senate.

The President announced that the next business in order was the election of a permanent Secretary, Assistant Secretary, Enrolling and Engrossing Clerk, Doorkeeper and Assistant Doorkeeper.

Mr. Billups placed in nomination for Secretary of the Senate the name of Wm. L. Clay, of Madison.

Those who voted for Mr. Clay are :

Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, McSpadden, Mitchel, Moorman, Norman, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy and Ware—32.

Mr. Clay having received the whole vote cast was declared duly elected Secretary of the Senate for the time prescribed by law.

Mr. Troy placed in nomination for Assistant Secretary, the name of Thomas H. Clark, of Montgomery.

Those who voted for Mr. Clark are :

Messrs. President, Billups, Bowles, Brewer, Brooks of

Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, McSpadden, Mitchel, Moorman, Norman, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy and Ware—32.

Mr. Clark having received the whole vote cast was declared duly elected Assistant Secretary of the Senate for the time prescribed by law.

Mr. Grant placed in nomination for Enrolling and Engrossing Clerk, the name of Wilson P. Howell, of Cleburne.

Those who voted for Mr. Howell are :

Messrs. President, Billups, Bowles, Brewer, Brooks, of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, McSpadden, Mitchel, Moorman, Norman, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy and Ware—32.

Mr. Howell having received the whole vote cast was declared duly elected Enrolling and Engrossing Clerk of the Senate for the time prescribed by law.

Mr. Brown placed in nomination for Doorkeeper, the name of W. J. B. Padgett of Jackson.

Those who voted for Mr. Padgett are :

Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, McSpadden, Mitchel, Moorman, Norman, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy and Ware—32.

Mr. Padgett having received the whole vote cast, was declared duly elected Doorkeeper for the time prescribed by law.

Mr. Bowles placed in nomination for Assistant Doorkeeper the name of John Morrill of Escambia.

Those who voted for Mr. Morrill are :

Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, McSpadden, Mitchel, Moorman, Norman, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy and Ware—32.

Mr. Morrill having received the whole vote cast, was declared duly elected Assistant Doorkeeper for the time prescribed by law.

The officers elected as aforesaid then came forward and took the oath of office prescribed by law, which was administered by the President.

The President announced the appointment of Lothair Brooks and John C. Orr, Jr., as Pages of the Senate.

Mr. Luckie offered the following resolution:

Resolved, That the Secretary be directed to inform the House of Representatives, when organized, that the Senate has perfected an organization by the election of the following officers, viz: Geo. P. Harrison, President, Wm. L. Clay, Secretary, Thomas H. Clark, Assistant Secretary, W. P. Howell, Enrolling and Engrossing Clerk, W. J. B. Padgett, Doorkeeper, and John Morrill, Assistant Doorkeeper.

Adopted.

Mr. Brooks of Mobile, offered a resolution, which was adopted, as follows:

Resolved, That a committee of five be appointed to report rules of proceeding for the government of the Senate and that, until such committee report, the rules of the last session shall be in force.

The President appointed on said committee, Messrs. Brooks, of Mobile, Billups, Troy, Seay, and Hargrove.

Mr. Seay offered the following resolution:

Resolved, That the thanks of the Senate be and the same are hereby tendered to the Hon. John D. Rather for the able and impartial manner in which he has discharged the duties of presiding officer of this body during the present session.

Adopted.

On motion of Mr. Grant, the Senate took a recess of ten minutes.

The recess having expired, the Senate was called to order.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 15, 1882.

Mr. President:

I am directed by the House to inform the Senate that the House has effected a permanent organization, by the election of the following officers:

Hon. W. F. Foster, of Macon, Speaker.

D. W. McIver, of Macon, Clerk.

H. R. Hood, of Monroe, Assistant Clerk.
 William Wallace, of Dallas, Engrossing Clerk.
 Thos. J. Judge, of Butler, Enrolling Clerk.
 Robert Hasson, of Etowah, Doorkeeper.
 Bryant James, of Barbour, Assistant Doorkeeper.

And has adopted a joint resolution, herewith sent, appointing a joint committee to wait on the Governor and inform him of the organization of the two houses of the General Assembly of Alabama.

Committee on part of House—Messrs. Samford, Powell and May.

D. W. McIVER,
 Clerk.

The joint resolution, just received, was concurred in.

The President appointed as the committee on the part of the Senate, Messrs. Billups and McSpadden.

Mr. Hargrove offered the following resolution :

Resolved, That the Secretary of State be requested to furnish each member of the Senate with a copy of the Code, the Journal of the last session, and the Acts of the sessions of the General Assembly of 1877-8 and 1880-81, for use during the present session.

Adopted.

Mr. Billups, from the joint committee to inform the Governor of the organization of the General Assembly of Alabama, reported that the committee had discharged their duty, and that the Governor would presently send to the two houses his biennial message.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
 Montgomery, Ala., Nov. 14, 1882.

Gentlemen of the Senate and of the House of Representatives :

You are assembled in biennial session, to consider the condition of the State, to correct errors and supply defects in legislation, and, within the constitutional limitations on your power, to provide for the general welfare. You are just from the homes of the people, with whose wants and wishes you are acquainted ; and you will faithfully endeavor to justify the confidence they have reposed in your intelli-

gence and patriotism. Your duties will be arduous, exacting and difficult. You will have much to do, and the constitution limits the period of your labors. You will have to act on many matters to which you have given little attention, and to consider many questions comparatively new to you. Your acts will be spread upon the public records, and for them you will account to jealous constituencies little disposed to make allowance for lack of experience, errors of judgment, or want of information. It is one of the hardships of the public service that the best intentions and the purest motives are no excuse for such mistakes as the wisest and best will sometimes make; but in the closest scrutiny and sharpest criticism of the acts of their servants the people exercise their right of control over administration. It is right that those distinguished by their fellow-citizens with trusts, and honors, and authority, should act at their peril; for thus caution, and care, and diligence, and fidelity, are enforced by an ever-present power, whose vigilance never sleeps, and whose judgments are final. It will be a happy day for the State if you so acquit yourselves here that each, on going hence, shall receive the welcome plaudit, "Well done, thou good and faithful servant!"

There will be much for you to do; but it is safer to leave something undone than to do too much. Too much legislation is a fruitful source of vexation and complaint. In our own experience, we have seen each General Assembly repealing the acts of its predecessors, and passing acts to be repealed by its successors. When the necessity for legislation, or the form of legislation, is doubtful, it is wise to wait until the doubt is removed. Hasty and unconsidered legislation is even a more frequent evil than unnecessary legislation. In the hurry and press of business, when the mind is constantly diverted from one thing to another, and there is little opportunity for close thought and patient study, the most capable and experienced legislators often overlook more or less material defects in bills submitted for their consideration, the general tenor and purpose of which are approved; and these, enacted, become laws, which are carried to the courts for construction, and the legislature which passed, and the Governor who approved them, are censured as incompetent or thoughtless law-makers. In nothing else is it so important to remember that what is worth doing at all is worth doing well, as in legislation.

EIGHT YEARS AGO.

The wisdom and the practicability of the sweeping reforms in the administration of the business affairs of the State inaugurated in the latter part of 1874, and carried out with vigor and fidelity through four executive terms, are demonstrated in the present financial condition of the government. When these reforms were undertaken, the State was bankrupt in means and credit. The people were taxed beyond their ability to pay, and the treasury was empty. Interest on the bonded debt was unpaid, and a floating indebtedness of hundreds of thousands of dollars had accumulated. From 1870-1 to 1873-4, inclusive, the annual revenues of the State from taxation averaged nearly \$1,100,000. This was expended; and as, from time to time, the Auditor's warrants and State certificates, representing accumulated deficits, could be no longer floated, money was borrowed to reduce them and carry on the government. In 1872-3, \$1,000,000 of bonds were sold, and the proceeds put into the treasury, and \$120,000 was borrowed. In 1873-4, \$1,000,000 eight per centum obligations were issued and paid out from the treasury as money. On the 30th of September, 1874, the nominal treasury balance was \$376,442; but of this there was but \$22,554 of lawful currency, and against it stood about \$400,000 of outstanding certificates.

This situation was apparently hopeless. The State was without money. It was without credit. It was largely indebted for the current expenses of preceding years. Interest on its bonds was unpaid. Bonds to the amount of many millions of dollars had been irregularly or fraudulently issued or endorsed, or issued or endorsed under acts obtained by open bribery and corruption, for railroad purposes. A great financial convulsion had just swept over the country, and its effects were still felt everywhere. Business men of all classes were struggling with difficulties, from which extrication seemed impossible; and agriculturists, the stay and strength of the State, in debt and without the accommodations to which they had been accustomed, were almost hopelessly but heroically endeavoring to cultivate some portion of their lands, and to save their mortgaged homes from ruinous sale. Property was almost without a cash value, and the payment of taxes was a hardship to many who had never before felt the weight of so light an imposition.

It was the mind of a statesman that comprehended the situation in all its terrible length and breadth, and the hand of a master that applied the remedy. The collection of a greater revenue was impossible. The people could not bear an additional feather's weight to their burdens. In sweeping retrenchment everywhere, and relentless economy in every department, was the only hope of the government. In 1874-5, the receipts from taxation were less than in the preceding year. No bonds were sold. No loans were negotiated. No scrip of any kind was put in circulation. Every warrant drawn upon the treasury was paid. Outstanding certificates to the amount of \$352,000 were redeemed and destroyed. It was a wonderful work; but it was only the beginning. The bonded debt, honest and fraudulent, valid and invalid, was to be so adjusted and settled as to reassert the honor of the State and re-establish its credit, without oppressing the people with burdens beyond their strength. This was provided for in 1875-6. There has since been no departure from the methods by which so much was wrought in so short a time. Now, Alabama has a manageable bonded debt, no floating obligations, a credit equal to that of the richest and most prosperous of the States that were never despoiled by the alien and the enemy, and a treasury altogether too plethoric, while its tax rate has been reduced, and its people, only eight years ago in the "Slough of Despond," are prospering, contented, hopeful, and happy.

FROM 1874 TO 1882.

In the following tabular summary of the business operations of the government since 1874, the discrepancy between the reports of the Auditor and of the Treasurer, to which your attention was called two years ago, is taken into consideration. Ordinarily, the differences between the balances shown by these reports would be the sum of the warrants drawn by the Auditor and unpaid at the treasury. The Auditor's report should show the balance in the treasury after the payment of all warrants drawn by him. The Treasurer's report gives the actual balance at its date. At the close of the last fiscal year, there were outstanding warrants to the amount of only \$118 16. This should be the difference between the books of the Auditor and of the Treasurer. The difference is \$39,588 27. Above the sum of outstanding warrants (\$118 16), this is accounted for by Auditor's war-

rants canceled or revoked years ago, and irregularities and errors in book-keeping previous to 1874, amounting, as nearly as can be ascertained, to \$36,602 17, and by \$2,26 74 paid by the Treasurer in 1878-9 to certain counties on account of tax on express companies, collected by the State, for which the Auditor, for reasons stated on page 4 of his report for 1879, did not give him credit, though it was paid on the Auditor's warrants, drawn in pursuance of law, and in obedience to a writ of *mandamus* from the City Court of Montgomery. Except as to this \$2,926 74, there is agreement between the books of the Treasurer and of the Auditor since 1874. In the following table, these errors are corrected as nearly as possible, as they should be on the books of the Auditor, whose reports ought to show the exact financial condition of the State:

SUMMARY OF RECEIPTS AND DISBURSEMENTS FOR EACH YEAR, FROM 1874 to 1882.

AUDITOR'S REPORTS.		1874-5.	1875-6.	1876-7.	1877-8.	1878-9.	1879-80.	1880-1.	1881-2.
Cash balance beginning of year. <i>a</i>		\$ 376,442 99	\$ 43,473 19	\$ 91,569 49	\$ 190,557 64	\$ 260,688 77	\$ 266,576 09	\$ 353,528 23	\$ 444,110 35
Receipts from all sources		728,370 22	928,169 30	979,592 21	942,908 61	931,289 16	930,601 25	964,741 78	1,012,547 01
Expenditures on all accounts. . . .		<i>b</i> 1,061,349 02	880,073 00	880,604 06	872,867 48	927,323 08	844,649 09	874,174 61	918,588 61
Cash balance at close of year. . .		43,473 19	91,569 49	190,557 64	260,688 77	266,576 09	353,528 23	444,110 35	538,068 75
TREASURER'S REPORTS.									
Actual cash at close of year. . . .		<i>c</i> 51,574 19	<i>d</i> 100,063 84	<i>e</i> 198,737 58	<i>f</i> 205,620 85	<i>g</i> 267,051 75	<i>h</i> 353,533 75	<i>i</i> 444,111 07	<i>j</i> 538,133 63

a Coin and currency, \$22,554 22; State certificates, \$288,015; State obligations, \$55,120; balance uncurrent money.

b Including \$352,145 of State certificates taken up and destroyed.

c Coin and currency, \$963 78; State obligations, \$15,370; State certificates, \$5,660; balance uncurrent money.

d Coin and currency, \$38,884 23; State obligations, \$25,730; State certificates, \$3,095; balance uncurrent money.

e Coin and currency, \$102,907 97; State obligations, \$58,070; remainder uncurrent money.

f Coin and currency, \$198,883 24; State obligations, \$32 310; remainder uncurrent.

g Coin and currency, \$201,113 14; State obligations, \$39,230; remainder uncurrent.

h Coin and currency, \$286,990; uncurrent funds (including \$40,000 State obligations), \$66,543 61.

i Coin and currency, \$377,684 77; uncurrent funds (including \$40,000 State obligations), \$66,426 30.

j Coin and currency, \$471,427 33; uncurrent funds (including \$40,000 State obligations), \$66,706 30.

Since 1876, it will be seen that there has been a steady increase in interest payments, as the refunding of the bonded debt has progressed, and for the last two years in consequence of the increased rate on the new bonds. In 1874-5, the only payments on interest account were \$20,280 on the bonds held by the Agricultural and Mechanical College, and \$53,005.11 on State obligations. In 1877-8, interest was paid on the bonded debt to the amount of \$188,012, and on State obligations to the amount of \$67,270. In 1880 the eight per centum obligations were refunded in six per centum bonds, and henceforth constitute part of the bonded debt proper. In the year just closed, the interest payments amounted to \$338,818.50. This does not include interest on the University fund and on the school fund. The interest payments in 1881-2 were \$83,536 greater than in 1877-8, and the total disbursements were only \$45,721.13 greater. The expenses of the government (not including interest, which is a charge and not an expense), were \$37,815 less in 1881-2 than in 1877-8, showing the steadiness with which the economic practices of my predecessor have been pursued during the four years last past.

THE BONDED DEBT.

The debt settlement provided for by the act of February 23, 1876, has been practically completed. There yet remain outstanding a few of the old bonds for which provision is made. As they come in, new bonds, bearing interest from the date of issue, are exchanged for them. It is probable the most of those still out, are lost or destroyed. In two years but \$146,300 of the new bonds, of all classes, have been issued. The total bonded debt, including \$253,500 of eight per centum bonds held by the Agricultural and Mechanical College, is now \$9,407,800, on which the interest charge is \$343,929. There will be no further increase in the rate of interest on any class of bonds until January, 1887, when class A bonds will advance to four per centum.

THE OUTLOOK.

I was thought extravagant, when, two years ago, I estimated that at the close of the fiscal year 1881-2 there would be in the treasury an available balance of \$237,000, exclusive of the obligations, then practically retired, and of other un-

available funds. That balance was \$471,427.33, or more than twice as much as I ventured to predict it would be, and that on a reduced tax rate. This gratifying result follows largely increased valuations for revenue purposes, and closer collections. That much of the property in the State had been assessed far below its real value, that much of it had escaped assessment, and that in many places collections had not been diligently and faithfully made, were indisputable facts; and the General Assembly of 1880-1, fully realizing that a just distribution of the burdens of government can only be secured through equal assessments and the faithful collection of taxes, made some provision for the correction of these evils.

In the meantime, there was a marked and unmistakable improvement in the material condition of the people, embracing every interest and extending to every portion of the State; and the market values of all real and personal property were greatly enhanced. In consequence, partly of more stringent legislation, partly of a more faithful discharge of duty by assessors and collectors, partly of the prevalence of better market values, and partly of the greater ability of the people to pay, there has been an increase in the revenues of the State beyond any reasonable expectation. Two years ago there were apprehensions that with the greater interest payments soon to follow on an increase in the rate on the bonds of 1876, the State might have difficulty in meeting its obligations and keeping its plighted faith; and a slight reduction in the tax rate was made against the judgment of many intelligent and practical men. We now see the result would have justified a greater reduction. The valuation of property for taxation has been for six years, as follows: 1876, \$135,535,792; 1877, \$130,799,138; 1878, \$126,773,262; 1879, \$123,757,072; 1880, \$139,077,328, and in 1881, \$152,920,115. So far as the abstracts have been received for this year, they indicate a still larger aggregate. With the re-establishment of confidence in the maintenance of good government without interference from abroad, the people of the State entered upon a new life, with hopes inspired by the prospect of better times and enduring prosperity, and began vigorously to apply themselves to the pursuits in which they had so long struggled with faint hearts and scanty rewards, and to engage in other industrial and commercial enterprises; and the assessment returns show with what success. In three years, from 1879, when the bottom appears to have been

reached, to 1881 inclusive, taxable values increased nearly twenty-five per centum ; and there is every reason to expect that this rate of increase will continue for years to come, partly because of continually increasing market values, partly from greater willingness on the part of tax payers to return their property at something like its real worth, and partly from the greater diligence and fidelity of assessors, acting under a sharpened sense of duty and stimulated by more stringent prescriptions of the law. In view of promises so fair and reasonable, I shall not venture on an estimate of the condition of the treasury at the end of the next two years, in which I should probably fall as far short as in the estimates of my last message.

THE REVENUE LAWS.

I direct your attention to the recommendations of the Auditor in reference to assessments and collections, and commend them to your respectful consideration.

Every honest man is interested in the faithful performance of the duties of assessors and collectors. If property is unequally assessed, more than his proper share of the cost of government is imposed on one and less than his proper share put on another ; and negligence, looseness, or partiality in collections results in the same injustice. They are the more conscientious and scrupulous who suffer ; and they have a special claim to legislative protection against their less considerate or less honest neighbors.

The assessor's duties may be more clearly and sharply prescribed ; he may be held to a stricter accountability ; and the obligations of the tax payer may be more strongly defined.

A very cursory examination of the tables in the Auditor's report giving the taxable value of the several species of property in the counties shows inequalities that should be corrected, in order that equal and exact justice may be done to all.

The re-enactment of section 3060, of the Code of 1867, which was omitted from the Code of 1876, giving the right to summary judgments in the Circuit or the City Court of Montgomery county against defaulting tax collectors and probate judges, would save the State expense and be a protection to the revenues, while it would not work hardship to any faithful and honest officer. The proof of default and

the bonds of the defaulter are here, and it is the duty of the Attorney General to attend to all civil suits in the courts of this county in which the State is interested. Proceedings here would, therefore, be at a less cost to the State, which in such cases is the wronged party, and could be prosecuted with more certainty. During the many years this was authorized, there is no instance in which it was abused, and there is no reason to fear that it would ever be used as a means of annoyance or persecution. The State is at a great disadvantage when it must carry its witnesses and its proofs to a distant county in a suit to obtain possession of money which the tax payer has paid for its use.

It is worthy of consideration, whether it would not be expedient and proper to give to the Governor power, upon the recommendation of the Auditor, to suspend any tax assessor or tax collector from the performance of his duties for any cause that may to him appear sufficient to justify him in taking such action, as, under section 418 of the Code, he may now, of his own motion, suspend a tax collector in certain cases. The power now possessed by the Governor under section 418 of the Code, has never been exercised; but in a number of instances a citation to show cause why it should not be exercised, has had most satisfactory results. The power to suspend both assessors and collectors for any good cause, would probably accomplish the desired end, without once being invoked; and there is not a remote probability that it would be misused, for no governor would be willing to dispense with the services of any honest, capable and faithful officer, or to bring reproach upon his administration by an unnecessary and unjust proceeding so severe. The exercise of such power might be carefully guarded.

A day certain for final settlement by tax collectors should be prescribed, and forfeiture of office should the penalty for failure. Many tax collectors cannot make settlement by the 1st of May, and should not be required to do so. Plenty of time should be given, and no grace should be allowed.

The increase reported in the allowances for "errors and insolvencies," from \$31,000 in 1877 to \$50,000 in 1881, is remarkable, unaccountable and inexcusable. Errors are to be expected, and insolvencies are barely possible. It is difficult to understand how any property should not be worth six-tenths of one per centum of its low valuation for taxation, or why, unless it has been removed or destroyed, a

diligent collector should be unable to collect the trifling sum charged to it. And it is not easy to see how a careful and intelligent assessor can make numerous errors. One-tenth of the whole tax levied is absorbed in mileage and commissions and lost in "errors and insolvencies."

As early as possible in the first month of each fiscal year, the State Auditor is required to draw his warrant on the tax collector of each county, in favor of the county superintendent of education, for the full amount of the school fund apportioned to the county, and the collector pays this draft out of the first money that comes into his hands from the general and license taxes. The Auditor's warrant is drawn on the tax collector, as if he were State Treasurer, and the money passes into the hands of the county superintendent of education, before it is needed or can be used for any public purpose, and it is held by him as if he were State Treasurer. The money disbursed in this way, amounting to about one-fourth of the total revenues of the State, does not pass through the State treasury, and does not appear on the Treasurer's books or in his reports. These warrants are generally paid in the first quarter, or early in the second quarter of the fiscal year; while nothing is paid to teachers until the beginning of the second quarter, and only quarterly thereafter. The county superintendent generally receives the whole amount he is to pay out during the year before there is demand upon him for any portion of it, and thereafter disburses it as claims upon it mature, retaining for future use the remainder at the end of the scholastic year. There is thus always a large sum in the aggregate in the hands of county superintendents, which should be in the safe keeping of the treasury. These county superintendents are under bond for the faithful disbursement of the funds in their possession; but in case of default—and county superintendents have defaulted—they can be reached through legal proceedings with far more difficulty than the State Treasurer, who is at the capitol, and on whose bondsmen process can easily be served. This feature of our revenue system was adopted when the condition of the treasury was such that some such plan appeared necessary to secure to the schools the appropriations made for their support. There is no such reason for continuing it. The money for the schools should be paid from the treasury to county superintendents quarterly, as it is needed, and not otherwise.

There are no tax collectors in Chambers, Lee and Pickens counties, and in their unhappy condition no one in either of them can qualify and act in that office. The loss to the revenues of the State from this cause was about thirty thousand dollars last year, and unless some plan of relief can be devised it will be greater the present year. The same causes that have deprived these counties of tax collectors are in operation in Tallapoosa and Randolph, which, in like manner, may at any time, through no fault of theirs, become delinquent in their contributions to the State treasury. These counties are hopelessly involved in local indebtedness, into which they were seduced by plausible misrepresentations or skillful false pretenses, or which was put upon them by frauds or force, and their creditors are relentlessly pursuing them in the federal courts for the collection in full of claims bought on speculation at a few cents on the dollar. They cannot collect State and county taxes without collecting taxes for the satisfaction of judgments against them on their so-called debts, which their people are neither willing nor able to pay. The duty of the State to itself, and to its oppressed and distressed municipalities suggests the necessity for prompt and effective action in these premises.

THE RATE OF TAXATION.

I recommend a further reduction of the tax rate. In two years the balance in the treasury has been more than doubled, and is now entirely too large. Taxes should be collected only as they are needed, and to the extent they are needed, for the proper purposes of economical administration. Half the money now in the treasury should be in the pockets of the tax payers, from which it has been taken in advance of the public wants. But two years ago, I concurred in the expediency of fixing the tax rate at six and one-half tenths of one per centum, below which it was by many not thought safe to go. Any change now made will not affect the collections for this fiscal year, which will be made under the present rate. The Auditor estimates a surplus of \$28,000 this year, which will leave in the treasury on the 30th of September, 1883, full a half million dollars in current money. If the rate be now made five-tenths of one per centum, and if there be no increase in taxable values and no increase in revenue from other sources, the deficit for the year ending September 30, 1884, will be less than \$150,000, and the treasury balance

will be almost \$400,000. On the basis of the Auditor's estimates for the current year, the estimates for 1883-4, on a tax rate of five-tenths of one per centum, would be as follows: Balance in the treasury October 1, 1883, \$499,374.13; receipts from general taxes, \$692,307; receipts from all other sources, \$132,500—total, \$1,324,181.13; disbursements for everything, \$954,553.10; balance in the treasury September 30, 1884, \$369,628.03. The estimated disbursements are the same as for this year, less \$50,000, the estimated cost of the Legislature, which will not meet in 1883-4. I am confident, however, that taxable values will continue to increase as they have for three years past, and that at five-tenths of one per centum tax rate, the sum in the treasury will scarcely be reduced at all. There should never be more than \$250,000 in the treasury at the close of any fiscal year—just enough to safely and surely carry the government over the January interest payments, after which collections always begin to come in in large amounts. The condition of the country and of the treasury might justify a lower rate, but I confidently recommend the reduction to five mills on the dollar.

THE DUTY OF ECONOMY.

The practice of the most rigid economy in all the departments of the administration, hitherto a necessity that enforced itself, is none the less a duty now. Five hundred thousand dollars in the treasury is a great temptation to larger expenditures than have heretofore been found necessary, and in this is the danger most to be feared. With so large a surplus to draw against, the most conservative may be persuaded to greater liberality in appropriations; and when a movement in this direction is started, it will be found difficult to restrain it. It should be remembered that the money in the treasury is the sum of eight years close savings, during all of which time the people have been taxed to the maximum of their ability to pay, and they are the more entitled to relief because of this surplus of their contributions to the support and maintenance of the government, "the sole object and only legitimate end" of which "is to protect them in the enjoyment of life, liberty and property." Every dollar in the treasury came directly from the people, from whose scanty earnings it was subtracted, and should be sacredly devoted to the uses for which it was

collected, which do not include schemes for the development of the resources of the State, or measures for fostering and encouraging special industries, or anything for display, or for grandeur, or for dignity, or for pretension, or for extravagance in official salaries and emoluments. The people expect a continuance of the plain, simple, cheap and efficient administration which they were promised in 1874, as an inducement to a political uprising for the expulsion of profligates from power, and which they have since had, and it would not be wise or safe to disappoint them. It is safe to adhere to the economical methods through which the State threw off the reproach of bankruptcy and has taken its place in the proud sisterhood of States of untarnished honor. I entreat you to closely adhere to the course of retrenchment and economy so happily inaugurated eight years ago and so successfully and satisfactorily adhered to since.

DEPARTMENT OF EDUCATION.

The scholastic year ends September 30th, but the reports of the Superintendent of Education are often delayed for reports from county superintendents. The report for 1880-81 was not made until the middle of February, 1882, and the report for 1881-2, has not yet been received. The total revenue of the school department for 1880-81 was \$397,479.04, derived from the following sources: Interest on sixteenth section fund, \$105,424.49; interest on valueless sixteenth section fund, \$5,825.47; interest on United States surplus revenue fund, \$26,763.47; escheats to the State, \$160.83; annual appropriation, \$130,000; unapportioned balance from 1880, \$1,092.45; and poll tax collected and retained in the counties, \$128,212.33. This was apportioned as follows: To counties and cities, including the poll tax, \$382,552.52; to the normal schools, \$13,500; educational contingent fund, \$1,000; unapportioned, \$420.652. The expenditures of the fund were as follows: Paid to teachers of white schools, \$225,867.77; to teachers of colored schools, \$158,901.85; salaries of county and city superintendents, \$11,883.80; normal schools, \$13,500; and contingent expenses, \$535.65. The total number of children within the school ages enumerated was 388,003, of which 217,590 were whites; and 170,413 were colored. The total number of children enrolled was 176,289, of which 107,328 were whites, and 68,951 were

colored. The daily average attendance in the white schools was 66,840, and in the colored schools 48,476. There were 4,572 schools taught during the year, of which 2,981 were white schools and 1,591 were colored schools. The total number of teachers was 4,698, of whom 3,053 were in the white schools and 1,645 were in the colored schools. The average length of time taught in the white schools was 84 days, in the colored schools 76 days. The average monthly pay of teachers in the white schools was \$22.98, and in the colored schools was \$23.15. I am advised that there will be no very large variations from these statistics in the report for 1881-2.

DEAF AND DUMB AND THE BLIND ASYLUM.

The reports of the Board of Commissioners, and of the officers of the Deaf and Dumb and the Blind Asylum at Talladega, for the two years ending September 30, 1882, will be laid before you. Hon. M. H. Cruikshank, President of the Board of Commissioners, died on the 10th of October, 1881, and was succeeded as president by Dr. Wm. Taylor. J. Pinckney Wood was appointed to the vacancy in the board occasioned by Mr. Cruikshank's death. Since October, 1880, there had been seventy-five pupils in the asylum, of which fourteen had been discharged, leaving therein on the 30th of September last, sixty-one pupils, of whom forty were mutes and twenty-one were blind. The health of the household, always good, is reported to have been unusually so during the period covered by these reports. The property of the asylum consists of seventeen acres of land, lying in the eastern part of the town of Talladega, upon which stands nine buildings, five of which are brick. During the past two years, a first-class steam laundry has been constructed, furnished and put in operation. It will be remembered that during the two years ending September 30, 1880, a new chapel and school room, of brick, 76 feet 2 inches by 42 feet 8 inches, was erected, at a cost of \$9,750. These buildings have been put up and equipped, and the necessary repairs on all the buildings of the institution have been made, out of the savings from the support fund. No appropriations for repairs have been required since 1871. The school has capacity for one hundred pupils, and there are many in the State entitled to its

benefits, but unusual efforts to secure a larger attendance have been only partially successful, owing in part, no doubt, to the ignorance of parents of the opportunities it presents for the education, care, and treatment of their unfortunate children. The Principal and the Board of Commissioners recommend that provision be made for the deaf and dumb and the blind of the colored race.

HOSPITAL FOR THE INSANE.

On the 30th of September, 1880, there were 402 patients in the Hospital for the Insane, of whom 213 were men, and 189 were women. During the two years ending September 30, 1882, 188 patients were discharged, 57 died, and 260 were admitted, leaving under treatment 417 patients, of whom 209 were men and 208 were women. Of these, 345 were white and 72 were colored. The causes of death were as follows: Apoplexy, 2; Bright's disease, 2; cerebral softening, 1; cerebral congestion, 2; diarrhœa, 1; epilepsy, 3; fracture of skull, 1; heart disease, 2; maniacal exhaustion, 9; marasmus, 11; paresis, 6; pericarditis, 1; peritonitis, 1; phthisis, 11; pneumonia, 3; syphilis, 1. Of the discharges, 126 had recovered; 49 were improved, and 13 were unchanged. In the two years, 155 applications for admission were refused for want of room. From the opening of the hospital in July, 1861, to the date of the last report, 1,835 patients had been admitted into it, of whom 671 had been discharged recovered, 211 discharged improved, 84 discharged unchanged and 452 had died. The cost of maintaining the hospital for the two years was \$140,003.50, of which \$13,729.41 was for improvements and repairs. Under the act of February 26, 1881, the superintendent and the three resident members of the Board of Trustees, constituting the building commission, at once entered upon the work of preparing additional accommodation for the insane. It was determined to extend the present hospital building by the erection at each end of an additional three-story section, sufficient to provide for between 300 and 400 patients. This work has been pushed as rapidly as the funds at the disposal of the commission would admit. The brick work of the western section is done, and the section will be completed and finished in a few months. The foundation walls of the eastern section have been laid. Fifty thousand of the \$100,000 appropriated

by the act of February 20, 1881, has been drawn and expended. If that act be amended to authorize the remaining \$50,000 to be drawn and used as needed, the additional accommodations contemplated by it, will be provided during the coming year. The condition of the treasury will warrant this change, and it is strongly solicited by the demand for room in the hospital, which at the earliest period possible, should be made large enough to receive all who need its care and treatment. This noble institution, an honor to the State, in everything but in extent and cost of construction, will compare favorably with anything of the kind in the United States, and nowhere else are the insane so well provided for at so small a per capita expense.

THE PENITENTIARY.

The Penitentiary will doubtless demand a share of your attention, and as soon as possible after the receipt of the report of the warden and inspectors, which has been delayed, I shall communicate to you the fullest information in my power concerning it, with such recommendations as may seem expedient or necessary.

THE ATTORNEY GENERAL.

Section 109 of the Code, makes it the duty of the Attorney General "annually, in the month of November, to make to the Governor a report, consolidated from the reports made to him by the solicitors of the different judicial circuits, stating the number of persons prosecuted under indictments during the past year in each county, the character of the alleged offenses, the results of the trials, and the punishments imposed;" but solicitors are not required to make reports to him, and in fact, do not make them, and he cannot, therefore, report to the Governor. Such reports would give much information in reference to the enforcement of the criminal laws of the State, and put on record many interesting and valuable statistics. There is no good reason why the solicitors should not be required to make the reports contemplated by the section of the Code above quoted.

THE MILITIA.

The effective militia of Alabama consists of two regiments and a few unattached companies, uniformed at their own expense, and armed and equipped by the State. These organizations are numerically weak, numbering in all less than one thousand men, and they are not all as well drilled and disciplined as they should be. The act of the last General Assembly has promoted their efficiency, but something more is needed. These volunteer forces cost the State last year about \$3,000, the benefits of which inured to the companies of the First Regiment and two or three companies of the Second. The discipline and wants of other companies, especially of the unattached companies, have been greatly neglected. Neither the Adjutant General, the Inspector General, nor the Quartermaster General has any pay or allowance, and any one competent to discharge the duties of these offices will undertake them only with the understanding that merely routine work is to be done. But one report (in 1879-80) from the Adjutant General has been made to this office, so far as I can learn, in eight years; and since October 1st last, the office has been vacant. The State has distributed nearly one hundred thousand dollars worth of arms and equipments, received from the Federal Government since the war, and of many of these all trace is lost. When the companies disband, it is the exception that their arms are returned, and in many cases no bonds for their preservation and care appear on file here. This property should be recovered, but its recovery can hardly be undertaken by officers working without compensation, and at their own expense. The Adjutant General should have an office in the Capitol, and be paid a salary sufficient to warrant a requirement that he perform all the duties imposed on him by law, or by lawful direction of the Governor. The volunteer forces of the State are at all times subject to the order of the Governor, and should be supported and maintained; but any company below a reasonable standard of efficiency should be disbanded by the Governor upon a report of its delinquency by the Inspector General, who should have at least travelling expenses while in the discharge of his duties.

DEPARTMENT AND OTHER REPORTS.

I have had no reports for 1881-2 from the Superintendent of Education, the Attorney General (for reasons elsewhere stated), the Adjutant General, the Railroad Commission, the Warden and Inspectors of the Penitentiary, the Board of Trustees of the University, or the Board of Trustees of the Agricultural and Mechanical College, and have seen the reports of the Auditor and the Treasurer only in manuscript. I am informed that some of these reports are in the hands of the public printer, who has as yet been unable to get them through the press. As they are received they will be laid before you, with such suggestions as shall be proper.

HARD LABOR FOR THE COUNTY.

Hard labor for the county as an alternative for imprisonment in the penitentiary, is peculiar to Alabama. It is unknown in other States. It confounds misdemeanors and felonies. It unequally punishes offenders. The felon in the penitentiary escapes the severer punishment of hard labor for the county, which must be inflicted upon the misdemeanant. The convict to the penitentiary has the benefit of State inspection, which gives him some protection while serving out his sentence, and secures his discharge at its expiration. The convict to hard labor for the county is generally hired to work outside of the county, is subjected to penitentiary discipline, is beyond the care of those who should see that he is humanely treated, and has no assurance of discharge at the expiration of his sentence.

The greater punishment is upon the lesser offender. A felony is an offense which may be punished by death or by confinement in the penitentiary. This is the definition of the Code. It was not intended that felons should be punished otherwise. Punishment for felonies by hard labor for the county grew out of a disposition to secure their fees to the officers of the county, convicts to hard labor for the counties for misdemeanors having been compelled to work out the costs of the prosecution if not presently paid. As these punishments are now inflicted, it would be an approach to justice to sentence all convicted misdemeanants to the penitentiary and all convicted felons to hard labor for the county. The same punishment should not be prescribed for

the two classes of crime. But punishment by hard labor should be modified and adapted in its severity to the minor offenses for which it was designed. Felonies should be punished by confinement in the penitentiary, as in all other States. The penitentiary was established by the State, and supported for many years at heavy cost, for the confinement and punishment of felons, and unless, now that it has become a source of revenue, it is to be abolished, directly or indirectly, all persons convicted of felonies, other than capital, should be sent to it. These views were strongly urged upon the General Assembly in two of the annual messages of my immediate predecessor. "The State pays," said he, "for feeding prisoners while imprisoned in the counties, pays fees to sheriffs in cases of insolvent convicts, and pays for the arrests of absconding felons, and it seems but fair," he continued, "under this state of facts, that convicts (for felonies) should be sent to the penitentiary, that the State may have the benefit of their labor," which should go to all the people of the State and not to those of the counties, to some of which it now yields a large revenue. Under the advice of Governor Houston, it was enacted that in all cases in which the period of imprisonment or hard labor for the county is more than two years, the sentence must be to imprisonment in the penitentiary. Previously, the sentence to hard labor for the county might be for life or any shorter term. I earnestly recommend, that hard labor for the counties be retained as a punishment in cases of misdemeanors only, that the hiring of county convicts to work outside of the county be prohibited, and that the sheriff, or some other officer, be specially charged with the inspection and supervision of county convicts and their treatment while they are serving out their terms, and with the duty of seeing that they are discharged at the expiration of their sentence.

Where offenders are sentenced to hard labor for the county, and the costs of prosecution are not presently paid, the court may impose additional hard labor for the county for a term sufficient to cover all costs and officers' fees, at not less than thirty cents a day for the additional hard labor imposed. If the cost of prosecution is not a debt, within the meaning of the constitution, but is a penalty in the nature of a debt, for which hard labor may be imposed, the statute, in effect, makes poverty a crime, and the commission of a misdemeanor the subject of greater punishment than that of a felony. If the non-payment of costs is a crime, the right of

trial by jury is secured to the offender by the constitution. Under our practice, a person accused of carrying concealed a weapon, or of gaming, or of selling unwholesome bread, or other offense, may be arrested, tried, convicted, and sentenced to hard labor for the county for the longest period allowed by law, and then, forthwith, without accusation, or arrest on warrant, or trial by jury, sentenced to another term at hard labor for non-payment of certain fees and costs. Whether a convict failing to pay costs is guilty of a crime for which the law prescribes punishment, or is simply an insolvent debtor, it seems to me, with all deference to the courts which have held otherwise, that a sentence in the usual way to hard labor therefor is in violation certainly of the spirit, if not the letter of the fundamental law of the State, and in many instances its imposition is a reproach to our administration of justice. But poverty is not a crime. Law cannot make it such. As no one able to pay costs would refuse or fail to do so when the alternative is labor in the chain gang and all that implies, it must be that in fact almost every sentence to hard labor for the county for non-payment of costs is a punishment for poverty, which might be avoided by the possession of a few dollars, or the means of possessing them. Reasonable fees and costs should be paid by the county which has the service of convicts at hard labor for the county for misdemeanors, and the State should pay such costs when the sentence is to the penitentiary for felonies. Adequate punishment should be inflicted for every offense against the laws; but no punishment should ever be permitted for mere inability to pay what is in effect and fact, whatever it may be in law, a debt to the State or its officers, and what no law can make a crime.

THE PARDONING POWER.

Two years ago, the propriety of creating a board of pardons was pressed upon your consideration. The pardoning power is, by the constitution, vested in the Governor, to be exercised, however, under such rules and regulations as may be prescribed by law. A board of pardons may be established, and its recommendations, with the reasons therefor, in writing, may be made a prerequisite to executive action. A board, to consist of the Attorney-General, President of the Senate, and Speaker of the House, or of three or more other persons, to be appointed by the Governor or otherwise

selected, could in one day, or, at most, two days in each month, dispose of the business to be submitted to it, and the cost would be too inconsiderable to be taken into consideration. No one, perhaps, has ever retired from the office of Governor without a conviction that he has granted pardons that ought to have been refused, and a fear that he has refused pardons that ought to have been granted. ^{and} The act of rejecting a final appeal in a case involving life, liberty or property, on the one hand, or, on the other hand, of releasing from a proper sentence a convicted offender against the peace and dignity of the commonwealth, is too grave a duty to be imposed on any one person without official and responsible advice.

CONCLUSION.

In climate, in agricultural resources, in mineral wealth, in all natural opportunities, Alabama is unsurpassed on the continent. Navigable rivers sweep across its territory from east to west and from north to south. Vast forests of the most valuable woods have scarcely known the axman's touch. Rich valleys and broad prairies yield some fifty and some an hundred fold to indifferent culture. Mountains of solid iron ore, exhaustless quarries of limestone, and great fields of coal, are massed together over an area of thousands of square miles. Lofty mountains lift their heads into an atmosphere pure, invigorating and health-giving. The summer's heat is tempered by cooling winds from the far-off western plains, and the winter's cold by spice-laden breezes from the gulf. Nature has lavished here, with unstinted hands, her choicest blessings. It only remains for those to whom this splendid possession has come to be faithful to the trust they have received. It is our fault only that Alabama is not now close up to Pennsylvania in iron and coal industries, to Massachusetts in manufacturing enterprise, to Kentucky in stock raising, and to Illinois in cereal production. We have lived almost without effort, and prospered almost without labor, and have been content. A new spirit is upon us. New desires fill our hearts. New aspirations impel us forward. The God-given wealth over us, around us, under our feet, is to be developed by the genius of the mechanic, the intelligence of the agriculturist, and the skill of the miner, and all natural forces are to be trained to our uses. Our children will have the strength of giants in the land and

the power of princes among men. Good laws, the impartial execution of justice, protection to person and property, and a faithful administration of public affairs, giving confidence to capital and encouragement to labor, will hasten the glories of the new era; and these are the duties to-day imposed upon us and to-morrow to be imposed upon our successors.

R. W. COBB.

CALL OF THE DISTRICTS.

Bills were introduced:

By Mr. McClellan—

s. 1. To repeal an act to prohibit the manufacture or sale, or other disposition, of vinous, spirituous or malt, or other intoxicating liquors, within the limits of the counties of Limestone and Clarke, in this State, approved Feb. 24, 1880, so far as the same relates to Limestone county.

By Mr. Shelby—

s. 2. To repeal an act to amend section 274 of the Code;

Also,

s. 3. To repeal an act to amend section 276 of the Code;

Also,

s. 4. To enable electors to identify their ballots;

Also,

s. 5. To repeal an act to further regulate the trial of misdemeanors in Madison county;

Also,

s. 6. To repeal an act to regulate the trial of misdemeanors in Madison county.

By Mr. Grant—

s. 7. To fix the time of holding the circuit courts in Cleburne county.

By Mr. Brewer—

s. 8. For the relief of certain persons who had paid license money to the State.

By Mr. Norman—

s. 9. To repeal an act to prevent the destruction of fish in the rivers and creeks in Bullock county, Ala., approved Dec. 3, 1880;

Also,

s. 10. To repeal an act to prevent the selling of vinous, spirituous or malt liquors, or beverages or bitters composed in whole or in part of such spirituous or malt liquors, in the

county of Bullock, except by regularly licensed druggists upon the prescription of licensed physicians, and to provide a local option law for the sale of such liquors, beverages or bitters in incorporated towns or cities in said county having a population of five hundred and fifty or more, approved Feb. 28, 1881.

By Mr. Troy—

s. 11. To amend section 435 of the Code.

By Mr. Mitchell (with notice)—

s. 12. To prohibit the sale, bartering or giving away of spirituous, vinous or malt liquors in the town of Glennville, in Russell county, Ala., or within five miles in any direction of the "Methodist Episcopal Church South," in said town.

By Mr. Titcomb—

s. 13. To provide for the introduction of the study of the laws of public health in the public schools of this State.

Which were severally read the first time and ordered to a second reading.

ADJOURNMENT.

At 12 m., on motion of Mr. Luckie, the Senate adjourned till 10 o'clock a. m. to-morrow.

THIRD DAY.

THURSDAY, November 16, 1882.

The Senate met pursuant to adjournment.

Prayer by the Rev. Wilson P. Howell of Cleburne.

Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, McSpadden, Mitchel, Moorman, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy and Ware—31.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Davidson till Monday.

CALL OF DISTRICTS.

Bills were introduced :

By Mr. McClellan—

s. 14. To amend section 3280 of the Code.

By Mr. Jackson—

s. 15. To prescribe the manner in which claims against the fine and forfeiture fund of Lawrence county shall be paid.

By Mr. Pate—

s. 16. To authorize the filing and recording of certain deeds of conveyance therein named, in the office of the probate courts of this State.

By Mr. Oden—

s. 17. To amend sections 3012 and 3013 of the Code ;

Also,

s. 18. To repeal section 3656 of the Code.

By Mr. Farnham—

s. 19. To amend section 580 of the Code ;

Also,

s. 20. To amend section 615 of the Code ;

Also,

s. 21. To amend section 668 of the Code.

By Mr. Jones—

s. 22. To amend section 361 of the Code ;

Also,

s. 23. To amend section 411 of the Code ;

Also,

s. 24. To amend section 1111 of the Code.

By Mr. Troy—

s. 25. To regulate proceedings on appeal by defendants to the supreme court, in criminal cases ;

Also,

s. 26. To amend section 1804 of the Code.

By Mr. Mitchell—

s. 27. To amend section 1679 of the Code.

By Mr. Seay—

s. 28. To secure competent and well qualified jurors in the several counties of this State.

By Mr. Brewer—

s. 29. To repeal an act to increase the pay of witnesses and jurors in Lowndes county, approved 16th December, 1853.

By Mr. Farnham—

s. 30. To amend section 3218 of the Code.

Which were severally read the first time and ordered to a second reading.

RESOLUTION.

Mr. Mitchell offered the following resolution:

Resolved, That the doorkeeper of the Senate be, and he is hereby instructed to have an extra set of doors placed at the entrance of the Senate Chamber.

Adopted.

BILLS ON SECOND READING.

The bills—

s. 1. To repeal an act to prohibit the manufacture, or sale, or other disposition of vinous, spirituous, or malt or other intoxicating liquors within the limits of the counties of Limstone and Clarke, in this State, approved February 24, 1881, so far as the same relates to Limestone county;

s. 12. To prohibit the sale, bartering or giving away of spirituous, vinous or malt liquors in the town of Glennville, in Russell county, Ala., or within five miles in any direction, of the Methodist Episcopal Church South, in said town,

Were severally read a second time and referred to the committee on temperance.

The bills—

s. 2. To repeal an act to amend section 274 of the Code;

s. 3. To repeal an act to amend section 276 of the Code;

s. 4. To enable electors to identify their ballots;

Were severally read a second time and referred to the committee on privileges and elections.

The bills—

s. 5. To repeal an act to further regulate the trial of misdemeanors in Madison county;

s. 6. To repeal an act to regulate the trial of misdemeanors in Madison county;

Were severally read a second time and referred to the committee on revision of laws.

The bills—

s. 8. For the relief of certain persons who had paid license money to the State;

s. 11. To amend section 435 of the Code;

Were severally read a second time and referred to the committee on finance.

The bill—

s. 13. To provide for the introduction of the study of the laws of health in the public schools of this State;

Was read a second time and referred to the committee on education.

The bill—

s. 7. To fix the time of holding the circuit courts in Cleburne county;

Was read a second time and referred to a special committee, consisting of Messrs. Grant, Troy and Hargrove.

The bills—

s. 9. To repeal an act to prevent the destruction of fish in the rivers and creeks in Bullock county, Ala., approved December 3, 1880;

s. 10. To repeal an act to prevent the selling of vinous, spirituous or malt liquors, beverages or bitters, composed in whole or in part of such spirituous or malt liquors, in the county of Bullock, except by the regularly licensed druggists, upon the prescription of licensed physicians, and to provide a local option law for the sale of such liquors, beverages or bitters, in incorporated towns or cities in said county, having a population of two hundred and fifty or more, approved February 28, 1881;

Were severally read a second time.

Mr. Troy raised the question, that the last two bills were local bills, and no notice, as required by law, accompanied them; and on his motion, their further consideration was postponed and made the special order for to-morrow, after the call of districts.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

November 16, 1882.

Mr. President:

The House has adopted joint resolutions, herewith sent:

In relation to the lunch stands in the rotunda;

Also,

Joint resolution in relation to the opening and counting of the votes cast for State officers;

Also, the following joint resolution:

Resolved by the House of Representatives, the Senate concurring. That a joint committee of three from the House and two from the Senate, be appointed, whose duty it shall be to ascertain and report what bills are local and special, that will require notice, as required by the Constitution of the State.

D. W. McIVER,
Clerk.

HOUSE MESSAGES.

The joint resolutions in the foregoing House messages were severally read and concurred in.

The Chair (Mr. Brooks of Mobile, presiding), appointed as committee on the part of the Senate, under the last resolution, Messrs. Troy and Hargrove.

On motion of Mr. Farnham, it was referred to the committee on rules, to ascertain whether it was expedient to allow the reception of House messages while a senator was speaking.

ADJOURNMENT.

At 11.30 A. M., on motion of Mr. McClellan, the Senate adjourned till to-morrow at 11 A. M.

FOURTH DAY.

FRIDAY, November 17, 1882.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Shackelford, of the House.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb and Ware—31.

The journal of yesterday was read and approved.

CALL OF DISTRICTS.

Bills were introduced :

By Mr. Shelby—

s. 31. To amend section 286 of the Code.

By Mr. McSpadden—

s. 32. To amend the charter of the East and West Railroad Company of Alabama, and to enable said company to engage in mining operations ;

Also,

s. 33. To prevent speculations in futures.

By Mr. Hargrove—

s. 34. To amend section 4 of an act to incorporate the city of Tuscaloosa, approved March 12, 1873.

By Mr. Brewer—

s. 35. To amend section 1630 of the Code.

By Mr. Griffin—

s. 36. To amend section 24 of an act to organize and regulate a system of public instruction for the State of Alabama, approved Feb. 7, 1879.

By Mr. Jones—

s. 37. Making defendants competent witnesses in all indictments, complaints and other criminal proceedings.

By Mr. Norman—

s. 38. To amend an act for the protection of certain portions of the lands and plantations lying in Bullock county from depredations by stock, approved Dec. 8, 1880, and amended Feb. 24, 1881.

By Mr. Mitchell—

s. 39. To better secure the rights of parties in attachment cases.

By Mr. Gardner—

s. 40. To repeal article 3, of chapter 1, of title 2, of part 3 of the Code.

By Mr. Smith—

s. 41. To prevent drunkenness in public places ;

Also,

s. 42. To prevent persons from playing at crack-a-loo in public places.

By Mr. Seay—

s. 43. To relieve married women of the disabilities of coverture.

By Mr. Brooks of Mobile—

s. 44. To amend an act to amend sections 1400 and 1401 of the Code, approved March 1, 1881.

Which were severally read the first time and ordered to a second reading.

SPECIAL ORDERS.

The bill—

s. 9. To repeal an act to prevent the destruction of fish in the rivers and creeks in Bullock county, Ala., approved Dec. 3, 1880;

Was taken up and referred to the committee on local legislation.

The bill—

s. 10. To repeal an act to prevent the selling of vinous, spirituous or malt liquors, or beverages or bitters composed in whole or in part of such spirituous or malt liquors, in the county of Bullock, except by regularly licensed druggists upon the prescription of licensed physicians, and to provide a local option law for the sale of such liquors, beverages or bitters in incorporated towns or cities in said county having a population of two hundred and fifty or more, approved Feb. 28, 1881;

Was taken up and referred to the temperance committee.

BILLS ON SECOND READING.

The bills—

s. 15. To prescribe the manner in which claims against the fine and forfeiture fund of Lawrence county shall be paid;

s. 16. To authorize the filing and recording of certain deeds of conveyance therein named in the office of the probate courts of this State;

s. 17. To amend sections 3012 and 3013 of the Code;

s. 18. To repeal section 3656 of the Code;

s. 19. To amend section 580 of the Code;

s. 20. To amend section 615 of the Code;

s. 21. To amend section 668 of the Code;

s. 25. To regulate proceedings on appeals by defendants to the supreme court, in criminal cases;

s. 26. To amend sections 1803 and 1804 of the Code;

s. 28. To secure competent, and well qualified jurors in the several counties of this State;

s. 14. To amend section 3280 of the Code ;

s. 30. To amend section 3218 of the Code ;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

s. 23. To amend section 411 of the Code ;

s. 22. To amend section 361 of the Code ;

s. 24. To amend section 1111 of the Code ;

s. 29. To repeal an act to increase the pay of witnesses and jurors in Lowndes county, approved 16th December, 1853 ;

Were severally read a second time and referred to the committee on finance.

The bill—

s. 27. To amend section 1679 of the Code ;

Was read a second time and referred to the committee on revision of laws.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 17, 1882.

Mr. President :

The committee on the part of the House, raised under the joint resolution in regard to local laws, consists of

Messrs. Hamilton, Smith of Autauga, and Nesmith.

D. W. McIVER,

Clerk.

STANDING COMMITTEES.

The President announced the standing committees of the Senate, as follows :

Judiciary—Messrs. Hargrove, Troy, Seay, Smith, Norman, McClellan, Farnham, Jones and Thomas.

Finance—Messrs. Brooks of Mobile, Brewer, McSpadden, Orr, Street, Gardner and Davidson.

Federal Relations—Messrs. Troy, Luckie, Thomas, Grant, Ware, McSpadden and Brown.

Revision of Laws—Messrs. Mitchell, Bowles, Billups, McSpadden, Brooks of Macon, Oden and Shelby.

Local Legislation—Messrs. Seay, Titcomb, Pate, Griffin and Jackson.

Education—Messrs. Brooks of Macon, Titcomb, Rushing, Grant, Griffin, Ware and Hargrove.

Internal Improvements—Messrs. Brewer, Street, Luckie, Gardner and Shelby.

Municipal and County Organizations—Messrs. McClellan, Smith, Rushing, Brown and Pate.

Industrial Resources—Messrs. Farnham, Street and Moorman.

Privileges and Elections—Messrs. Norman, Brooks of Mobile, Billups, Brown and Oden.

Printing—Messrs. Rushing, Brewer and Ware.

Penitentiary—Messrs. Jones, Davidson, Luckie, Mitchell and Brooks of Macon.

Military—Messrs. Bowles, Jones, Moorman, Pate and Jackson.

Temperance—Messrs. Billups, Orr and Grant.

Engrossed Bills—Messrs. Titcomb, Gardner and Jackson.

Enrolled Bills—Messrs. Orr, Oden and Davidson.

Revision of the Journal—Messrs. Smith, Farnham, Bowles, Griffin and Shelby.

LEAVE OF ABSENCE.

Mr. Gardner was granted leave of absence for to-morrow.

ADJOURNMENT.

At 11.15 a. m., on motion of Mr. Farnham, the Senate adjourned till to-morrow at 11 a. m.

FIFTH DAY.

NOVEMBER 18, 1882.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Shackelford.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan,

Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy and Ware—30.

The journal of yesterday was read and approved.

CALL OF THE DISTRICTS.

Bills were introduced :

By Mr. Shelby—

s. 45. To repeal an act to amend section 286 of the Code.

By Mr. Luckie—

s. 46. To amend section 4450 of the Code.

By Mr. Griffin—

s. 47. To authorize the appointment of a commissioner of convicts of the State, and to regulate the hiring, clothing, feeding, treatment and medical attention to convicts hired out by the State and counties.

By Mr. Jones—

s. 48. To prohibit the sale or disposing of spirituous, vinous or malt liquors, or other intoxicating beverages, in the county of Wilcox on and after the first day of April, 1883.

By Mr. Troy—

s. 49. To amend section 1843 of the Code ;

Also,

s. 50. To authorize railroad companies organized under the general incorporation laws, to extend their lines and build branch roads.

By Mr. Mitchell—

s. 51. To better provide for the examination of the county offices, county jail, records of the courts of county commissioners and county chain gangs of Russell county, in this State, and report thereon.

By Mr. Smith—

s. 52. To regulate the manner of the payment of the general and the fine and the forfeiture funds of the counties of this State.

By Mr. Billups—

s. 53. To repeal an act to prohibit the sale, disposing of spirituous, vinous or malt liquors, or intoxicating beverages and bitters within the limits of the counties of Monroe, Escambia and Pickens, approved February 23, 1881, so far as it relates to the county of Pickens.

By Mr. Thomas—

s. 54. To amend section 5027 of the Code.

By Mr. Bowles—

s. 55. To amend sections 3286, 3287 and 3288 of the Code.

Which were severally read the first time and ordered to a second reading.

BILLS ON SECOND READING.

The bills—

s. 32. To amend the charter of the East and West Railroad Company of Alabama, and to enable said company to engage in mining operations ;

s. 35. To amend section 1630 of the Code ;

Were severally read the second time and referred to the committee on internal improvements.

The bills—

s. 33. To prevent speculation in futures ;

s. 43. To relieve married women of the disabilities of coverture ;

s. 37. Making defendants competent witnesses in all indictments, complaints and other criminal proceedings ;

s. 42. To prevent persons from playing at crack-a-loo in public places ;

s. 41. To prevent drunkenness in public places ;

s. 39. To better secure the rights of parties in attachment cases ;

Were severally read a second time and referred to the committee on the judiciary.

The bill—

s. 36. To amend section 24 of an act to organize and regulate a system of public instruction for the State of Alabama, approved February 7, 1879 ;

Was read a second time and referred to the committee on education.

The bill—

s. 31. To amend section 286 of the Code ;

Was read a second time and referred to the committee on privileges and elections.

The bill—

s. 34. To amend section 4 of an act to incorporate the city of Tuscaloosa, approved March 12, 1873 ;

Was read a second time and referred to the committee on municipal and county organizations.

The bill—

s. 40. To repeal article 3, of title 2, of part 3 of the Code;

Was read a second time and referred to the committee on revision of laws.

The bill—

s. 38. To amend an act for the protection of certain portions of the lands and plantations lying in Bullock county from depredations by stock, approved December 8, 1880, and amended February 24, 1881;

Was read a second time and referred to the committee on local legislation.

The bill—

s. 44. To amend an act to amend sections 1400 and 1401 of the Code, approved March 1, 1881;

Was read a second time and referred to a special committee, consisting of Messrs. Brooks of Mobile, Billups and Griffin, with leave to report at any time.

MESSAGE FROM THE GOVERNOR BY HIS RECORDING SECRETARY.

EXECUTIVE OFFICE,

Montgomery, Ala., November 18, 1882.

To the Senate and House of Representatives :

I herewith transmit to you reports of the Railroad Commissioners of Alabama for the years ending June 30, 1881, and June 30, 1882, respectively. The report for the year ending June 30, 1882, was made to me yesterday after the adjournment of the two houses, and as I have not had opportunity to look into the mass of statistical information it contains, or to consider the recommendations which the commissioners make, both reports are referred to the Legislature without comment.

R. W. COBB.

On motion of Mr. Seay, the Governor's message, with accompanying documents, was referred to the judiciary committee.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

November 18, 1882.

Mr. President :

The House has adopted joint resolution—

Raising joint committee on immigration.

Committee on part of the House—

Messrs. Berry, Langdon, Brown of Tuscaloosa, McAdory,
and Clayton.

Also, joint resolution—

Raising joint committee on sheriff's fees.

Committee on part of the House—

Messrs. Brown of Talladega, Hague, Dunklin and Grant.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The joint resolutions set forth in the above House message were severally read and concurred in.

The President appointed as a committee on the part of the Senate, under first resolution—

Messrs. Brewer, Street and Troy.

And under second resolution—

Messrs. Mitchell, Griffin and Shelby.

REPORT FROM SELECT COMMITTEE.

Mr. Grant, from a select committee, reported favorably to the bill—

s. 7. To fix the time of holding the circuit courts in Cleburne county ;

Which was read a third time and passed—yeas 29, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—29.

On motion of Mr. Grant, the bill was ordered forthwith to the House without engrossment.

MISCELLANEOUS BUSINESS.

Mr. McClellan introduced a resolution—

Referring to the judiciary committee the subject of the salaries of the supreme and circuit court judges and chancellors, with leave to report by a bill or otherwise.

Adopted.

Mr. Troy offered a joint resolution—

Appointing a joint committee on rules, consisting of two from the Senate and three from the House.

Adopted.

The President appointed on said committee Messrs. Troy and Brooks of Mobile.

Mr. Seay offered a joint resolution—

Raising a joint committee of five, two from the Senate and three from the House, to whom shall be referred the convict system and the subject of penal servitude, and all bills in reference thereto.

On motion of Mr. Billups, the resolution was amended so as to read as follows:

"Consisting of seven, three on the part of the Senate and four from the House."

The resolution, as amended, was adopted.

Mr. Brooks of Mobile, offered a resolution—

Resolved, That 500 copies of the list of the Senate standing committees be printed for the use of the Senate.

Adopted.

On motion of Mr. McSpadden, at 11:40 a. m., the Senate took a recess till three minutes of 12 m.

The recess having expired, the Senate was called to order.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

November 18, 1882.

Mr. President:

I am instructed to invite the Senate into the hall of the House of Representatives.

D. W. McIVER,
Clerk.

At the hour of 12 o'clock m., the Senate proceeded to the hall of the House of Representatives to witness, in joint con-

vention with the House, the opening of the returns and proclaiming the result of the election held on the first Monday in August, 1882, for executive officers of the State of Alabama.

The joint convention was called to order by Hon. Geo. P. Harrison, Jr., President of the Senate, who directed the Secretary of the Senate to call the roll, when the following Senators answered to their names:

Messrs. President, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Grant, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy and Ware—26.

The Speaker of the House directed the Clerk of the House to call the House roll, when the following Representatives answered to their names:

Messrs. Speaker, Aderholt, Alexander, Anderson, Armstrong, Atkison, Avent, Avery, Baker, Beck of Covington, Beck of Wilcox, Bibb, Burnett, Branch, Brewer, Brown of Tuscaloosa, Carmichael, Cochran, Cowart, Clark, Clayton, Dowling, Dunklin, Edwards, Fuller, Garrett, Gere, Goree, Glover, Graham, Grant, Grisham, Haden, Hall, Hamilton, Hammond, Hawkins of Jefferson, Hawkins of Shelby, Harris, Hogue, Ingle, John, Jones, Kendrick, Kimbrough, Lang, Langdon, May, Moren, Muldon, McAdory, McCall, Nevill, Nesmith, Porter, Powell, Purifoy, Randle, Raisler, Reynolds of Henry, Reynolds of Talladega, Robinson, Samford, Scarborough, Shackelford, Shealy, Shorter, Simpson, Smith of Dallas, Smith of Autauga, Swan, Tingle, Thagard, Underwood of Colbert, Underwood of Franklin, Vines, Walker, Watlington, Williams, Willett, Wharton, Whitt, Young of Marion, Young of Pickens—84.

The Speaker of the House of Representatives then proceeded to open and publish, in the presence of both houses of the General Assembly, in joint convention, the returns of the election held on the first Monday in August, 1882, for officers of the Executive Department of the State of Alabama, as follows:

Vote for State Officers Elected August 7th, 1882.

COUNTIES.	FOR GOVERNOR.		FOR SECRETARY OF STATE.		FOR TREASURER.		FOR STATE AUDITOR.		FOR ATTORNEY-GENERAL.	
	E. A. O'Neal.	J. L. Sheffield.	Ellis Phelan.	A. H. Townsend.	I. H. Vincent.	J. W. Montgomery.	J. M. Carmichael.	J. B. Shields.	H. C. Tompkins.	C. P. Lane.
Antauga.	1291	690	1291	690	1291	690	1291	690	1291	690
Baldwin (no returns)	3227	707	3225	707	3227	707	3226	707	3223	705
Barbour	1234	201	1234	198	1234	198	1234	198	1234	198
Bibb	1660	372	1665	356	1640	360	1642	359	1654	360
Blount	1034	791	1034	791	1034	623	1035	791	1031	791
Bullock	1604	934	1606	934	1605	934	1606	934	1606	934
Butler	2233	417	2246	401	2247	401	2247	400	2247	400
Calhoun	1458	783	1470	780	1439	763	1460	780	1469	781
Chambers	2212	242	2219	240	2219	240	2219	239	2219	214
Cherokee	1009	158	1028	143	1028	143	1028	143	1028	143
Chilton	991	1075	992	1101	991	1101	991	1101	992	995
Choctaw	1217	706	1217	707	1217	707	1217	707	1217	707
Clarke	1077	255	1096	.....	1076	255	1078	255	1077	255
Clay	1077	255	1096	.....	1076	255	1078	255	1077	255

Cleburne.....	703	347	702	344	703	345	700	345	702	344
Coffee.....	1062	11	1064	12	1064	12	1062	12	1064	12
Colbert.....	1191	1177	1183	1184	1182	1184	1183	1183	1182	1184
Conecuh.....	1075	737	1077	737	1077	737	1077	737	1077	737
Coosa.....	1444	1031	1441	1029	1442	1029	1445	1028	1443	1029
Covington (no returns).....										
Crenshaw.....	1779	200	1779	200	1779	200	1779	200	1779	200
Cullman.....	463	410	468	410	447	406	467	410	447	388
Dale.....	936	62	937	60	936	63	929	59	936	63
Dallas.....	4206	894	4204	898	4206	896	4210	889	4205	894
DeKalb.....			1039						1040	
Elmore.....	1369	1472	1369	1472	1369	1472		1472	1369	1472
Escambia.....	606	306	602	305	603	305	603	305	603	305
Etowah.....	1929	682	1929	680	1931	680	1930	680	1928	681
Fayette.....	832	315	826	314	823	305	823	316	817	314
Franklin.....	883	380	891	378	891	377	892	377	890	377
Geneva.....	633		632		627		629		622	
Greene.....	908	641	904	641	905	641	904	641	905	641
Hale.....	1615	4	1610	3	1618	3	1617	3	1610	
Henry.....	1081	65	1087	65	1087	65	1088	65	1088	65
Jackson.....	1618	1551	1620	1550	1620	1550	1624	1548	1620	1550
Jefferson.....	1909	1572	1857	1570	1888	1580	1900	1580	1903	1571
Lamar.....	1135	104	1132	104	1132	106	1134	106	1132	104
Lauderdale.....	1161	850	1180	860	1182	861	1181	861	1184	862
Lawrence.....	1382	1781	1383	1786	1382	1783	1383	1783	1383	1780
Lee.....	2598	1199	2599	1199	2601	1198	2599	1199	2599	1199
Limestone.....	1627	1368	1625	1370	1624	1370	1625	1371	1626	1338

Vote for State Officers—continued.

COUNTIES.	FOR GOVERNOR.		FOR SECRETARY OF STATE.		FOR TREASURER.		FOR STATE AUDITOR.		FOR ATTORNEY-GENERAL.	
	E. A. O'Neal.	J. L. Sheffield.	Ellis Phelan.	A. H. Townsend.	I. H. Vincent.	J. W. Montgomery.	J. M. Carmichael.	J. B. Shilds.	H. C. Tompkins.	C. P. Lane.
Lowndes.....	3485	1586	3484	1586	3484	1586	3484	1586	3484	1586
Macon.....	1996	447	1996	447	1995	447	1995	447	1995	447
Madison.....	2620	3225	2625	3139	2623	3220	2624	3221	2620	3219
Marengo.....	3162	309	3162	309	3162	309	3162	309	3162	309
Marion.....	1242	59	1238	53	1236	56	1233	56	1234	56
Marshall.....	1076	827	1347	519	1344	518	1348	517	1347	517
Mobile.....	1879	1509	1884	1507	1883	1507	1880	1508	1878	1512
Monroe.....	1067	659	1067	659	1067	653	1068	653	1068	659
Montgomery.....	5483	2616	5481	2616	5479	2615	5484	2614	5479	2613
Morgan.....	1312	1198	1314	1193	1313	1194	1315	1192	1317	1190
Perry.....	2012	1052	2013	1052	2013	1052	2013	1052	2013	1052
Pickens.....	2618	...	2618	...	2618	...	2618	...	2618	...
Pike.....	2031	682	2046	685	2046	684	2047	683	2044	686
Randolph.....	740	228	740	224	738	223	740	224	740	245

Russell.....	1872	714	1873	714	1873	714	1873	714	1873	714	1870	714
Shelby.....	1499	830	1497	832	1498	831	1498	832	1498	832	1498	831
St. Clair.....	919	346	915	315	919	316	920	336	919	336	919	316
Sumter.....	1163	160	1155	.....	1155	106	1156	106	1156	106	1156	105
Talladega.....	1817	1632	1754	1633	1796	1632	1800	1631	1757	1631	1757	1631
Tallapoosa.....	2732	557	2725	557	2727	546	2717	546	2707	546	2707	546
Tuscaloosa.....	1752	535	1752	537	1751	534	1750	534	1752	534	1752	534
Walker.....	702	820	699	825	701	822	697	832	702	824	702	824
Washington.....	708	115	708	116	708	116	708	115	708	115	708	115
Wilcox.....	3085	1331	3085	1331	3085	1331	3085	1331	3084	1331	3084	1331
Winston.....	207	349	204	330	201	331	195	353	207	325	207	325
Total.....	100591	46386	113153	44798	102780	43639	100968	45053	103562	44605		

The Speaker of the House then preclaimed the result, as follows:

FOR GOVERNOR.

Edward A. O'Neal.....	100,591
James L. Sheffield.....	46,386
Jas. A. Sheffield.....	27
C. C. Langdon.....	2

FOR SECRETARY OF STATE.

Ellis Phelan.....	113,153
H. Townsend.....	44,798
A. H. Townson.....	236
A. H. Thompson.....	37

FOR TREASURER.

Isaac H. Vincent.....	102,780
J. W. Montgomery.....	43,639
H. C. Tompkins.....	21
J. M. Carmichael.....	1,041

FOR AUDITOR.

I. H. Vincent.....	1,031
Jesse M. Carmichael.....	100,968
J. B. Shields.....	45,053
Jas. M. Carmichael.....	2,247

FOR ATTORNEY GENERAL.

H. C. Tompkins.....	103,562
C. P. Lane.....	44,605
Paul Jones.....	20

The Speaker of the House then declared that Edward A. O'Neal having the highest number of votes of all the votes cast for Governor, was duly and constitutionally elected Governor of the State of Alabama for the time prescribed by law.

That Ellis Phelan having the highest number of votes of

all the votes cast for Secretary of State, was duly and constitutionally elected Secretary of State for the State of Alabama for the time prescribed by law.

That Isaac H. Vincent having the highest number of votes of all the votes cast for State Treasurer, was duly and constitutionally elected State Treasurer of the State of Alabama for the time prescribed by law.

That Henry C. Tompkins having the highest number of votes of all the votes cast for Attorney General, was duly and constitutionally elected Attorney General of the State of Alabama for the time prescribed by law.

That Jesse M. Carmichael having the highest number of votes of all the votes cast for State Auditor, was duly and constitutionally elected State Auditor of the State of Alabama for the time prescribed by law.

The joint convention was then dissolved, and the Senate returned to its chamber.

ADJOURNMENT.

And at 2.35 o'clock p. m., on motion of Mr. McSpadden, the Senate adjourned.

SIXTH DAY.

MONDAY, November 20, 1882.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Clements.

Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchel, Moorman, McSpadden, Norman, Orr, Rushing, Seay, Shelby, Smith, Street, Titcomb Troy and Ware—29.

The journal of Saturday was read and approved.

LEAVE OF ABSENCE.

Mr. Oden was granted indefinite leave of absence.

MOTION TO RECONSIDER.

Mr. Seay arose to a question of privilege, and made the following statement:

Mr. President :

I have been informed that the joint resolution, providing a joint committee on penal servitude in this State, has been considered an invasion of duties properly belonging to the committees on the penitentiary in the two Houses. I therefore move that the vote by which this resolution was passed, be reconsidered. And, inasmuch as the motion involves a question of deep general interest, and of courtesy, that these reasons be spread upon the journal.

The motion to reconsider prevailed, and the above statement was ordered to be spread on the journal.

On motion of Mr. Seay, the motion aforesaid, was withdrawn from the Senate.

COMMITTEE TO EXAMINE OFFICES OF AUDITOR AND TREASURER.

The President announced the following committee, on part of the Senate, to examine the offices of Auditor and Treasurer, under section 34 (40) of the Code—

Messrs. Luckie, Davidson and Gardner.

CALL OF DISTRICTS.

Bills were introduced :

By Mr. McClellan—

s. 56. To amend section 4 of an act "To better regulate the administration of express trusts created to secure or provide for the payment of debts, approved February 26, 1881.

By Mr. Jackson—

s. 57. To repeal section 4 of an act to amend section 4109 of the Code, and to provide for its enforcement, approved February 19, 1881, so far as the same relates to the counties of Lawrence and Colbert.

By Mr. Orr (with petition)—

s. 58. To prohibit the selling, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages, within five miles of the town of Bremen, in Cullman county, Alabama.

By Mr. McSpadden—

s. 59. To establish a new charter for the city of Gadsden.

By Mr. Jones—

s. 60. To amend section 15 of an act to confer additional

jurisdiction upon the county court of Wilcox county, and to regulate proceedings therein, approved February 23, 1881.

By Mr. Smith—

s. 61. To amend an act to require emigration agents plying their vocation in Barbour county, and other counties therein named, to pay license tax, approved January 30, 1877.

By Mr. Seay—

s. 62. To amend section 2591 of the Code.

By Mr. Brooks of Mobile—

s. 63. To authorize the purchasers of the road bed of any turnpike, macadamized, planked, shelled or other improved road, previously belonging to, and used as a toll road, by any corporation created under the laws of Alabama for that purpose, to constitute themselves into a body politic and corporate.

By Mr. Norman—

s. 64. To amend section 2944 of the Code.

Which were severally read the first time and ordered to a second reading.

BILLS ON SECOND READING.

The bill—

s. 45. To repeal an act to amend section 286 of the Code; Was read a second time and referred to the committee on privileges and elections.

The bills—

s. 46. To amend section 4450 of the Code;

s. 49. To amend section 1843 of the Code;

s. 50. To authorize railroad companies organized under the general incorporation laws, to extend their lines and build branch roads;

s. 52. To regulate the manner of the payment of the general and the fine and forfeiture funds of the counties of this State;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

s. 48. To prohibit the sale, or disposing of spirituous, vinous or malt liquors, or other intoxicating beverages, in the county of Wilcox on and after the first day of April, 1883;

s. 53. To repeal an act to prohibit the sale or disposing

of spirituous, vinous or malt liquors, or intoxicating beverages and bitters, within the limits of the counties of Monroe, Escambia and Pickens, approved February 23, 1881, so far as it relates to the county of Pickens ;

Were severally read a second time and referred to the committee on temperance.

The bill—

s. 47. To authorize the appointment of commissioner of convicts of the State, and to regulate the hiring, clothing, feeding, treatment and medical attention to convicts hired out by the State and counties ;

Was read a second time and referred to the committee on the penitentiary.

The bill—

s. 51. To better provide for the examination of the county offices, county jails, records of the courts of county commissioners and county chain gangs of Russell county, in this State, and report thereon ;

Was read a second time and referred to the committee on municipal and county organizations.

The bill—

s. 54. To amend section 5027 of the Code ;

Was read a second time and referred to the committee on finance.

The bill—

s. 55. To amend sections 3286, 3287 and 3288 of the Code ;

Was read a second time and referred to the committee on revision of laws.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 20, 1882.

Mr. President :

The House has adopted the following joint resolution:

Resolved by the House, the Senate concurring, That a joint committee of two from the Senate and three from the House, be appointed to report joint rules for the government of the two Houses.

Committee on part of the House—

Messrs. Powell, Robinson and Hammond.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The joint resolution, contained in the above House message, was concurred in.

The President appointed on said committee—
Messrs. Troy and Brooks of Mobile.

REPORT FROM SELECT COMMITTEE.

Mr. Brooks of Mobile, from a select committee, reported favorably the bill—

s. 44. To amend an act to amend sections 1400 and 1401 of the Code, approved March 1, 1881;

Which was read a third time and passed.

Yeas, 29. Nays, 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy and Ware—29.

The bill was ordered forthwith to the House without engrossment.

REPORT OF THE COMMITTEE ON RULES.

Mr. Brooks of Mobile, from the committee on rules, submitted the following rules for the government of the Senate :

RULES.

RULE 1. The President having taken the Chair, and a quorum being present, the journal of the preceding day shall be read, to the end, that any mistake may be corrected that shall be made in the entry.

2. No Senator shall speak to another, or otherwise interrupt the business of the Senate, or read any newspaper, while the journals or public papers are being read.

3. Every Senator, when he speaks, shall address the Chair, standing in his place, and when he has finished, shall sit down.

4. No Senator shall speak more than twice on any question under debate, and shall not consume more than half an hour at each time, without leave of the Senate.

5. When two Senators rise at the same time, the President shall name the person to speak ; but in all cases the Senator who shall first rise and address the Chair, shall speak first.

6. When a Senator shall be called to order by the President, or a Senator, he shall sit down ; and every question of order shall be decided by the President, without debate, subject to an appeal to the Senate ; and the President may call for the sense of the Senate on any question of order.

7. If the Senator be called to order by a Senator for words spoken, the exceptional words shall immediately be taken down in writing, that the President may be better enabled to judge of the matter.

8. No Senator shall absent himself from the service of the Senate, without leave of the Senate first obtained. And in case a less number than a quorum of the Senate shall convene, they are hereby authorized to send the Sergeant-at-Arms, or any other person or persons by them authorized, for any or all absent Senators, as the majority of such Senators present shall agree, at the expense of such absent Senator, unless such excuse for non-attendance shall be made as the Senate, when a quorum is convened, shall judge sufficient ; and in that case, the expense shall be paid out of the contingent fund. And this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session, after the hour has arrived to which the Senate stood adjourned.

9. When a motion shall be made and seconded, it shall be reduced to writing, if desired by the President, or any Senator, delivered at the table, and read, before the same shall be debated.

10. When a question is under debate, no motion shall be received but—

To adjourn,
To lay on the table,
To postpone indefinitely,
To postpone to a certain day,
To commit, or
To amend ;

which several motions shall have precedence, in the order they stand arranged, and the motion for adjournment shall always be in order, and be decided without debate.

11. If the question in debate contain several points, any Senator may have the same divided; but on a motion to strike out and insert, it shall not be in order to move for a division of the question; but the rejection of a motion to strike out and insert one proposition, shall not prevent a motion to strike out and insert a different proposition, nor prevent a subsequent motion, simply to strike out; nor shall the rejection of a motion simply to strike out, prevent a subsequent motion to strike out and insert.

12. In filling up blanks, the largest sum and longest time shall be first put.

13. When the reading of a paper is called for, and the same is objected to be any Senator, it shall be determined by a vote of the Senate, and without debate.

14. The *unfinished business* in which the Senate was engaged at the last preceding adjournment, shall have the preference in the *special orders* of the day.

15. When the *yeas* and *nays* shall be called for by one-tenth of the Senators present, each Senator called upon shall, unless for special reasons he be excused by the Senate, declare openly, and without debate, his assent or dissent to the question. In taking the *yeas* and *nays*, and upon the call of the Senate, the names of the Senators shall be called alphabetically.

16. When the *yeas* and *nays* shall be taken upon any question, in pursuance of the above rule, no Senator shall be permitted, under any circumstances whatever, to vote after the decision is announced from the Chair.

17. On a motion made and seconded, to shut the doors of the Senate, on the discussion of any business which may, in the opinion of any member, require *secrecy*, the President shall direct the gallery to be cleared; and during the discussion of such motion, the doors shall remain shut.

18. No motion shall be deemed in order to admit any person or persons whatsoever within the doors of the Senate Chamber, to present any petition, memorial or address, or to hear any such read.

19. When a question has been made and carried in the affirmative or negative, it shall be in order for any Senator of the majority to move for the reconsideration thereof; but no motion for the reconsideration of any vote shall be in order after a bill, resolution, message, report, amendment or motion, upon which the vote was taken, shall have gone out of the

possession of the Senate, announcing their decision; nor shall any motion for reconsideration be in order, unless made on the same day on which the vote was taken, or by 12 o'clock next day. Provided, that when a vote, by which a bill is passed, is reconsidered it shall be in order to move for a reconsideration of the vote by which the bill was ordered to be engrossed and read a third time.

20. All questions shall be put by the President of the Senate, and the Senators shall signify their assent or dissent, by answering their aye or no.

21. The President of the Senate shall have the right to name a Senator to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment.

22. After reading the journal, business shall be called in the following order:

- 1st. Signing bills by the President.
- 2d. Call of Districts.
- 3d. House messages.
- 4th. Bills on second reading.
- 5th. Bills on third reading.
- 6th. Reports from standing committees.
- 7th. Reports from select committees.
- 8th. Regular order of the day at 12 M.
- 9th. Miscellaneous business.

Except the committees on enrolled and engrossed bills, and on journals, may report at any time.

This order of business can not be set aside except by a vote of three-fourths of the Senators voting.

When reports of standing committees are in order, the committee shall be entitled to the floor, last occupying it when reports were in order.

These rules shall not interfere with special orders for particular days, or special orders for the Senate. Special orders shall be called at the hour of twelve o'clock, unless specially set for some other hour.

Under *Call of the Districts* only bills, petitions, or memorials shall be introduced. And every petition, memorial, or other paper, shall be referred, of course, without putting a question for that purpose, unless the reference is objected to by a Senator at the time such petition, memorial, or other paper, is presented. And before any petition, or memorial address to

the Senate, shall be received and read at the table, whether the same shall be introduced by the President or a Senator, a brief statement of the contents of the petition or the memorial shall verbally be made by the introducer.

23. Every bill shall receive three readings previous to its being passed; and the President shall give notice at each, whether it be the first, second, or third; which readings shall be on three different days. And no bill shall become a law until it shall have been referred to a committee and returned therefrom, and upon its final passage read at length, and the vote be taken by yeas and nays, and the names of the Senators voting for and against the same be entered on the journal. And the President shall, in the presence of the Senate, sign all bills and joint resolutions passed by the General Assembly after the titles have been publicly read immediately before signing; and the fact of signing shall be entered on the journal. And all resolutions proposing amendments to the Constitution, or to which the approbation or signature of the President may be requisite, or which may grant money out of the contingent fund, shall be treated, in all respects, in the introduction and form of proceedings thereon in the Senate, in a similar manner with bills.

24. No bills shall be committed or amended, until it shall have been twice read, after which it must be referred to a committee.

25. The final question, upon the second reading of every bill, resolution, constitutional amendment, or motion originating in the Senate, and requiring three readings previous to its being passed, shall be, "whether it shall be engrossed and read a third time?" and no amendment shall be received for discussion at the third reading of any bill, resolution, amendment or motion, unless by unanimous consent of the members present; but it shall at all times be in order, before the final passage of any such bill, resolution, constitutional amendment or motion, to move its commitment, and if such commitment take place, and any amendment be reported by the committee, the said bill, resolution, constitutional amendment, or motion, shall be again read a second time, and then the aforesaid question shall be again put.

26. The special orders of the day shall not be called by the Chair before 12 o'clock, unless otherwise directed by the Senate.

27. The titles of bills, and such parts thereof only as shall

be affected by proposed amendments, shall be inserted on the journals.

28. The proceedings of the Senate, when not in committee of the whole, shall be entered on the journal as concisely as possible, care being taken to detail a true and accurate account of its proceedings; but every vote of the Senate shall be entered on the journal, and a brief statement of the contents of each petition, memorial, or paper, presented to the Senate, shall also be inserted on the journal.

29. The President of the Senate shall appoint the chairman and members of the standing committees.

30. When motions are made for reference of the same subject to a select committee, and to a standing committee, the question on reference to the select committee shall be first put.

31. When acting on *confidential* or *executive business*, the Senate shall be cleared of all persons except the Secretary, the Principal Executive Clerk, the Sergeant-at-Arms and Door-keeper. The *executive* and *confidential legislative proceedings* shall be kept in a separate book from the *public legislative proceedings* of the Senate.

32. When an amendment to be proposed to the Constitution is under consideration, the concurrence of two-thirds of the members of the Senate shall be requisite.

33. When any question may have been decided by the Senate, in which two-thirds of the Senators present are necessary to carry the affirmative, any Senator who votes on that side which prevailed in the question, may be at liberty to move for a reconsideration, and a motion for a reconsideration shall be decided by a majority of votes.

34. Messages shall be sent to the House of Representatives by the Secretary, who shall previously indorse the final determination of the Senate thereon.

35. Messages may be introduced in any stage of business, except while a question is being put, while the yeas and nays are being called, or while the ballots are being counted.

36. The reporters shall be placed on the floor of the Senate by the Secretary, or under his direction.

37. The presiding officer of the Senate shall have the regulation and control of such parts of the capitol, and of its passages, as are or may be set apart for the use of the Senate and its officers.

38. Persons admitted on the floor of the Senate Chamber while the Senate is in session :

1. Executive officers of the State and of the United States.

2. Judges of the State and of the United States Courts, members of Congress and members of the General Assembly.

3. Ex-members of Congress and ex-Senators of Alabama.

4. Editors and reporters, at such tables as may be assigned on the floor or in the bar.

All other persons are excluded therefrom, and all persons are to be excluded from the bar, and the chairs and seats of the Senators, and from the closets of the Senate Chamber, and from being near the fire-places.

No smoking shall be allowed in the Senate Chamber.

39. The time of meeting of the Senate each day shall be 10:30 o'clock, A. M.; and in all cases, upon the adjournment of the Senate, the Secretary shall enter on the journal the hour of adjournment, and the name of the member on whose motion the adjournment was had.

40. To aid in the dispatch of business, there shall be seventeen Standing Committees, upon the following subjects, and to consist of the number hereinafter named :

1. On Judiciary, including rules and regulations ; to consist of nine members.

2. On Finance and Taxation ; including accounts and claims, fees and salaries, and contingent fund, to consist of seven members.

3. On Federal Relations, to consist of seven members.

4. On Revision of Laws ; to consist of seven members.

5. On Local Legislation ; to consist of five members.

6. On Education ; to consist of seven members.

7. On Internal Improvements, including highways, agriculture, and manufactures ; to consist of five members.

8. On Municipal and County Organizations, to include poor laws and charitable institutions ; to consist of five members.

9. On Industrial Resources, and Public Buildings ; to consist of three members.

10. On Privileges and Elections, including grievances, disabilities, and registration ; to consist of five members.

11. On Printing ; to consist of three members.

12. On Penitentiary, Prisons, and Punishment ; to consist of five members.

13. On Military ; to consist of five members.

14. On Temperance ; to consist of three members.

15. On Engrossed Bills; to consist of three members.
16. On Enrolled Bills; to consist of three members.
17. On Revision of the Journal; to consist of five members—whose duty it shall be to examine in reference to each bill or resolution finally passed by the General Assembly, and report whether the journal contains the entries in reference thereto required by the Constitution.

The report was concurred in; and,

On motion of Mr. Brooks of Mobile, five hundred copies of the rules of the Senate were ordered to be printed for the use of the Senate.

MISCELLANEOUS BUSINESS.

Mr. Billups offered the following resolution:

Resolved, That a special committee of five from the Senate be appointed by the President of the Senate, to which shall be referred that portion of the Governor's message relating to the debt-stricken counties of Randolph, Chambers, Lee, Tallapoosa and Pickens, and also all bills, resolutions, &c., on that subject, with leave to report at any time, by bill or otherwise.

Adopted.

On motion of Mr. Billups, Mr. Troy was made chairman, and the President of the Senate added to the committee.

And the President of the Senate appointed also on said committee, Messrs. Billups, Brooks of Macon, and Pate.

ADJOURNMENT.

At 11:45 a. m., on motion of Mr. Brooks of Macon, the Senate adjourned till 10:30 o'clock to-morrow morning.

SEVENTH DAY.

TUESDAY, November 20, 1882.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Andrews, of the city.

Present—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—28.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Mr. Thomas was granted indefinite leave of absence.

CALL OF DISTRICTS.

Bills were introduced :

By Mr. Moorman—

s. 65. To amend subdivision 8 of section 494 of the Code.

By Mr. Griffin—

s. 66. To amend section 4355 of the Code.

By Mr. Jones—

s. 67. To amend section 7 of an act for the better protection of the State in the payment of fees of sheriffs for feeding prisoners, approved Feb. 22, 1881 ;

Also,

s. 68. To amend section 2 of an act to regulate the compensation of sheriffs for the removal of prisoners, approved March 1, 1881.

By Mr. Smith—

s. 69. To regulate the trial of misdemeanors in Sumter county.

Which were severally read the first time and ordered to a second reading.

BILLS ON SECOND READING.

The bill—

s. 57. To repeal section 4 of an act to amend section 4109 of the Code, and to provide for its enforcement, approved

Feb. 19, 1881, so far as the same relates to the counties of Lawrence and Colbert;

Was read a second time and referred to the committee on local legislation.

The bill—

s. 59. To establish a new charter for the city of Gadsden;

Was read a second time and referred to the committee on municipal and county organizations.

The bill—

s. 58. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages, within five miles from the town of Bremen, in Cullman county, Alabama;

Was read a second time and (with accompanying petition) referred to the committee on temperance.

The bill—

s. 60. To amend section 15 of an act to confer additional jurisdiction upon the county court of Wilcox county, and to regulate proceedings therein, approved Feb. 23, 1881;

Was read a second time and referred to the committee on revision of laws.

The bill—

s. 61. To amend an act to require emigration agents paying their vocation in Barbour county, and other counties therein named, to pay a license tax, approved January 30, 1877;

Was read a second time and referred to the committee on internal improvements.

The bills—

s. 64. To amend section 2944 of the Code;

s. 56. To amend section 4 of an act to better regulate the administration of express trusts created to secure or provide for the payment of debts, approved Feb. 26, 1881;

s. 62. To amend section 2591 of the Code;

s. 63. To authorize the purchasers of the road bed of any turnpike, macadamized, planked, shelled or other improved road, previously belonging to and used as a toll road by any corporation created under the general laws of Alabama for that purpose, to constitute themselves into a body politic and corporate;

Were severally read a second time and referred to the committee on the judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 21, 1882.

Mr. President :

The House has adopted the following joint resolution :

Resolved by the House (the Senate concurring), That a committee of three on the part of the House and two on the part of the Senate, be appointed on admissions to the bar, with instructions to confer with a committee on the part of the Alabama State Bar Association, and report, as early as possible, any measure that it may deem necessary to preserve the purity and to elevate the tone of the Bar of the State.

Committee on the part of the House—

Messrs. Hall, Hogue and Griffin.

The Speaker of the House has appointed the following committee on the part of the House to examine the offices of the Auditor and Treasurer :

Messrs. Muldon, Dunklin and Dowling.

D. W. McIVER,
Clerk.

HOUSE MESSAGES.

The House joint resolution set forth in the above message was concurred in.

The President appointed as the committee on the part of the Senate under said resolution—

Messrs. Seay and Troy.

REPORTS FROM STANDING COMMITTEES.

Mr. Hargrove, from the committee on the judiciary, reported favorably the bill—

s. 18. To repeal section 3656 of the Code ;

Which was read a third time and passed—yeas 30, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy and Ware—30.

Also, reported adversely the bill—

s. 25. To regulate proceedings on appeals by defendants to the supreme court, in criminal cases.

On motion of Mr. Troy, the report was tabled, and the bill made the special order for Friday of next week, and 150 copies ordered printed for the use of the Senate.

Also, reported favorably the bill—

s. 26. To amend sections 1803 and 1804 of the Code ;

Which was read a third time and passed—yeas 27, nays 0.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Rushing, Shelby, Smith, Street, Titcomb, Troy, Ware—27.

Also, reported favorably the bill—

s. 30. To amend section 3218 of the Code ;

Which was read a third time and passed—yeas 29, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—29.

Also, returned the bill—

s. 33. To prevent speculations in futures ;

Which was recommitted to the committee on revision of laws.

REPORT FROM SELECT COMMITTEE.

Mr. Troy, from a special joint committee, submitted the following report :

Mr. President :

The joint committee of the two houses of the General Assembly, to which was referred a joint resolution to ascertain and report what bills are local and special that will require notice as required by the constitution, beg leave to report that they have had the same under consideration. They find the subject was considered and reported upon by a joint committee of the two houses at the session of 1878-9, and their report was adopted. It will be found on page 100 of the House Journal of that session.

The report of that committee was approved by a special

committee at the session of 1880-1, and their report adopted by the General Assembly, as appears by the Journal of that session, p. 80.

Your committee respectfully recommend that the present General Assembly adopt for its guide on this subject the rule heretofore thus adopted and acted upon, viz., that to make a statute a public law of general obligation, it is not necessary that it should be equally applicable to all parts of the State.

All that is required is that it shall apply to all persons within the territorial limits to be affected thereby, and general in its application to the class, or locality, and that bills affecting individuals and private corporations be considered as local or special bills, and require notice as provided for in the constitution of the State of Alabama, article IV, section 24.

But this rule as to notice shall not apply to bills relating to public or educational institutions, nor to industrial, mining, immigration or manufacturing corporations, or interests, or corporations for constructing canals or improving navigable rivers and harbors of this State.

All of which is respectfully submitted; and your committee ask to be discharged from the further consideration of the matter.

D. S. TROY,
A. C. HARGROVE,
Of the Senate.
PETER HAMILTON,
MAC. A. SMITH,
THOMAS B. NESMITH,
Of the House.

The report was concurred in, and the committee discharged.

ADJOURNMENT.

At 11:40 a. m., on motion of Mr. McSpadden, the Senate adjourned till 10:30 a. m. to-morrow.

EIGHTH DAY.

WEDNESDAY, November 22, 1882.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Andrews, of the city.

Present—Messrs. President, Billups, Bowles, Brewer Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Rushing, Seay, Shelby, Smith, Street, Titcomb, Ware—28.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Mr. Pate was granted leave of absence, on account of sickness.

CALL OF THE DISTRICTS.

Bills were introduced :

By Mr. Billups (by request, with petition)—

s. 70. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages, within three miles of Soule's Chapel church, in Pickens county.

By Mr. Farnham—

s. 71. To appropriate fifty per cent. of the State tax of Conecuh county for the year 1882 to aid in the erection of a jail in said county.

By Mr. Rushing—

s. 72. To amend an act, approved March 4, 1875, to incorporate the town of Elba, in Coffee county.

By Mr. Troy—

s. 73. To aid the counties of Lee, Chambers, Tallapoosa, Randolph and Pickens to compromise the indebtedness of said counties on account of bonds for subscriptions to the capital stock of railroad companies.

By Mr. Gardner—

s. 74. To amend section 4536 of the Code.

By Mr. Seay—

s. 75. To enable mortgagees and beneficiaries to protect their interest by purchasing at sales under powers in mortgages and deeds of trust, and to extend to such purchasers and the grantors in such instruments the provisions of chapter 4, title 7, part 2 of the Code, relating to the redemption of real estate sold under execution, decree, mortgage or deed of trust;

Also,

s. 76. To expedite the trial of civil causes in which the presiding judge is legally incompetent to hear and determine the same.

By Mr. Harrison (Mr. Troy presiding)—

s. 77. To provide for the collection of State and county taxes in counties having no qualified tax collectors.

Which were severally read the first time and ordered to a second reading.

BILLS ON SECOND READING.

The bills—

s. 66. To amend section 4355 of the Code;

s. 69. To regulate the trials of misdemeanors in Sumter county;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

s. 65. To amend subdivision 8 of section 494 of the Code;

s. 67. To amend section 7 of an act for the better protection of the State in the payment of fees of sheriffs for feeding prisoners, approved Feb. 22, 1881;

s. 68. To amend section 2 of an act to regulate the compensation of sheriffs for the removal of prisoners, approved March 1, 1881;

Were severally read a second time and referred to the committee on finance and taxation.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 22, 1882.

Mr. President:

The House has originated and passed the following bills

H. B. 42. To repeal an act entitled an act to require apportioners and overseers of roads in the counties of Fayette, Lamar, Marion and Cherokee to do road service after the expiration of their terms of service as such apportioners and overseers, so far as said act relates to Fayette, Lamar, Marion, St. Clair and Cherokee, approved Feb. 13, 1879.

H. B. 21. To amend section 3025 of the Code.

H. B. 86. To provide what shall be receivable in payment of county taxes in Mobile county;

H. B. 3. To confer upon notaries public and ex-officio justices of the peace similar powers to those possessed by justices of the peace, to issue attachments returnable to the circuit court;

H. B. 13. To repeal an act entitled an act to amend the road law of Dale county, approved Feb. 9, 1852, and to provide for the payment of the judge of probate and other officers, for road service in said county of Dale;

The last bill being ordered to the Senate forthwith, without engrossment.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set forth in the foregoing House message,

Were severally read the first time and ordered to a second reading.

REPORTS FROM STANDING COMMITTEES.

Mr. Mitchell, from the committee on revision of laws, reported favorably, with an amendment, the bill—

s. 27. To amend section 1679 of the Code;

The amendment was adopted, as follows:

Add after the word "counties," in 13th line of the bill, the words, "in proportion to the amount of taxable property in each."

The bill was read a third time and passed—yeas 28, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—28.

Mr. Seay, from committee on local legislation, reported favorably, the bill—

s. 9. To repeal an act to prevent the destruction of fish in the rivers and creeks in Bullock county, Ala., approved December 3, 1880;

Which was read a third time and passed—yeas 28, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Rushing, Seay, Shelby, Smith, Street, Titcomb, Ware—28.

Also, from same committee, reported favorably the bill—

s. 38. To amend an act for the protection of certain portions of the lands and plantations lying in Bullock county from depredations by stock, approved December 8, 1880, and amended February 24, 1881;

Which was read a third time and passed—yeas 29, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Rushing, Seay, Shelby, Smith, Street, Titcomb, Ware—29.

Mr. Billups, from the committee on temperance, reported favorably the bill—

s. 12. To prohibit the sale, bartering or giving away of spirituous, vinous or malt liquors in the town of Glennville, in Russell county, Alabama, or within five miles in any direction, of the "Methodist Episcopal Church South," in said town;

Which was read a third time and passed—yeas 26, nays 3.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Rushing, Seay, Smith, Street, Titcomb, Ware—26.

Nays—Messrs. Jackson, Luckie, Shelby—3.

Mr. Brooks of Macon, from committee on education, reported favorably, with an amendment, the bill—

s. 13. To provide for the introduction of the study of the laws of health in the public schools of this State;

Which, on motion of Mr. Titcomb, was postponed and made the special order for to-morrow at 11 o'clock a. m.

INCREASE OF TEMPERANCE COMMITTEE.

On motion of Mr. Billups, two additional members were added to the committee on temperance.

The President appointed on said committee, Messrs. Moorman and Griffin.

REPORT OF JOINT COMMITTEE ON RULES

Mr. Troy, from the joint committee on rules, submitted the following report :

Mr. President :

The joint committee to prepare joint rules for the two Houses of the General Assembly, beg leave to report that they recommend the adoption of the joint rules of the last session, and two additional rules, to be designated as Rules 4 and 5.

All of which rules are herewith submitted, and your committee ask to be discharged from the further consideration of the subject.

D. S. TROY,
LESLIE E. BROOKS,
Committee on part of Senate.
R. H. POWELL,
J. J. ROBINSON,
J. D. HAMMOND,
Committee on part of House.

The rules reported by said committee, are as follows :

JOINT RULES OF THE TWO HOUSES OF THE GENERAL ASSEMBLY OF ALABAMA.

1. Upon the reception of a message from either house notifying the other of the originating and passing of bills, the secretary or clerk, as the case may be, shall immediately after the message is read, proceed to read the bills by their titles, unless the reading be called for by some member, in which event the bill shall be read at length, and it shall be ordered forthwith to a second reading. The House or Senate, as the case may be, shall then proceed with the busi-

ness upon which it was engaged when the message was received.

2. When House or Senate bills are signed by the Speaker or President of the Senate, thereupon the clerk or secretaries as the case may be, shall notify the other house, and request the signature of the presiding officer to the same; and a, soon as the message is read, the presiding officer shall immediately sign the bills in the presence of the House or Senate as prescribed by the Constitution.

3. That no local or special bill shall be introduced into either house unless the member who introduces it discloses at the time the fact that the notice required by the Constitution and laws has been given, and submits the proof thereof with the bill.

4. Bills affecting individuals or private corporations are local or special bills within the meaning of the preceding rule 3, but said rule does not apply to bills relating to public or educational institutions of or in this State, or to industrial, mining, immigration, or manufacturing corporations or interests, or to corporations for constructing canals, or improving navigable rivers and harbors of this State; nor to bills which apply to all persons within the territorial limits to be affected thereby, and general in their application to the class or locality.

5. All bills for amendment to any section or part of the Code, in which the subject matter is stated in the title by reference to the section or other subdivision of the Code, must contain on the back of the bill, immediately below the title, a brief statement of the general subject to which such section or subdivision relates.

The report was concurred in and committee discharged.

On motion of Mr. Troy the secretary was ordered to have printed with the rules of the Senate the joint rules, just reported, also, the standing committees of the Senate, and the names of Senators and their districts.

ADJOURNMENT.

At 11:36 A. M., on motion of Mr. Ware, the Senate adjourned.

NINTH DAY.

THURSDAY, November 23, 1882.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Murray, of the city.

Present — Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Ware—31.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE

Was granted Mr. Troy for the day.

CALL OF THE DISTRICTS.

Bills were introduced :

By Mr. Shelby, (by request.)

s. 78. To incorporate S. R. and R. M. Lowery Industrial Academy at Huntsville, Alabama.

By Mr. Brown—

s. 79. To provide for the better working of the public roads in Jackson county.

Also, (by request)

s. 80. To repeal an act to regulate the trial of misdemeanors in Madison county, approved February 9, 1877.

By Mr. McSpadden—

s. 81. To authorize executors and administrators to employ counsel in certain cases.

By Mr. Oden (by request)—

s. 82. To prescribe the time when objection must be taken to indictments.

Also,

s. 83. To declare the operation of section 4889 of the Code.

By Mr. Farnham (by request)—

s. 84. Regulating and fixing the fees of clerks of circuit and city courts of this State.

By Mr. Griffin (by request)—

s. 85. To regulate the terms of the courts in the first judicial circuit of Alabama.

By Mr. Jones—

s. 86. To punish the hirer of any convict who fails to discharge such convict at the expiration of his term of penal servitude.

By Mr. Bowles—

s. 87. To amend section 3113 of the Code.

By Mr. Smith—

s. 88. To amend section 4358 of the Code.

Also,

s. 89. To amend section 4361 of the Code.

By Mr. Gardner—

s. 90. To incorporate the Scottsville Manufacturing Company.

By Mr. Grant—

s. 91. To regulate the trial of misdemeanors in Calhoun county;

Which were severally read the first time and ordered to a second reading.

BILLS ON SECOND READING.

The bills—

s. 75. To enable mortgagees and beneficiaries to protect their interests by purchasing at sales under powers in mortgages and deeds of trust, and to extend to such purchasers and the grantors in such instruments, the provisions of chapter 4, title 7, part 2 of the Code, relating to the redemption of real estate sold under execution, decree, mortgage, or deed of trust;

s. 76. To expedite the trial of civil causes in which the presiding judge is legally incompetent to hear and determine the same;

H. B. 21. To amend section 3025 of the Code;

H. B. 3. To confer upon notaries public and *ex-officio* justices of the peace similar powers to those possessed by justices of the peace, to issue attachments returnable to the circuit court;

Which were severally read the second time and referred to the judiciary committee.

The bill—

s. 74. To amend section 4536 of the Code,
Was read a second time and referred to the committee on the penitentiary.

The bills—

s. 72. To amend an act approved March 4th, 1875, to incorporate the town of Elba, in Coffee county;

H. B. 42. To repeal an act, entitled an act, to require apportioners and overseers of roads in the counties of Fayette, Lamar, Marion and Cherokee to do road service after the expiration of their terms of service as such apportioners and overseers, so far as said act relates to Fayette, Lamar, Marion, St. Clair and Cherokee, approved February 13th, 1879;

Were severally read a second time and referred to the committee on municipal and county organizations.

The bills—

H. B. 13. To repeal an act entitled an act to amend the road law of Dale county—approved February 9, 1852—and to provide for the payment of the judge of probate and other officers for road service in said county of Dale;

H. B. 86. To provide what shall be receivable in payment of county taxes in Mobile county;

Were severally read a second time and referred to the committee on local legislation.

The bill—

s. 70. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages, within three miles of Soule's Chapel Church, in Pickens county;

Was read a second time and referred to the committee on temperance.

The bill—

s. 71. To appropriate 50 per cent. of the State tax of Conecuh county for the year 1882, to aid in the erection of a jail in said county;

Was read a second time and referred to a special committee, consisting of Messrs. Farnham, Brown and McSpadden.

The bills—

s. 73. To aid the counties of Lee, Chambers, Tallapoosa, Randolph and Pickens to compromise the indebtedness of said counties, on account of bonds for subscriptions to the capital stock of railroad companies;

s. 77. To provide for the collection of State and county taxes in counties having no qualified tax collectors ;

Were severally read a second time and referred to the special committee appointed to consider that subject, of which Mr. Troy is chairman.

MESSAGE FROM THE GOVERNOR BY W. G. HUTCHESON, HIS RECORD-
ING SECRETARY.

On motion of Mr. Hargrove, the Governor's message was ordered to be printed with the annual message.

On motion of Mr. Brown, it was referred to the finance committee.

SPECIAL ORDER.

At the hour of 11 a. m., the bill—

s. 13. To provide for the introduction of the studies of the laws of health in the public schools of this State ;

Was taken up, and the pending amendment adopted, as follows :

Amend by striking out all of section 2 after the word "that," in the sixth line, and inserting in lieu thereof, the following: "Nothing herein contained shall prevent the granting of license to applicants who are otherwise qualified, as now required by law, when it is impracticable to teach the subjects mentioned in this bill."

The bill was then read a third time and passed—yeas 29, nays 1.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy.

Mr. Ware voted no.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 23, 1882.

Mr. President :

The House has originated and passed the following bills, viz :

H. B. 18. To amend an act to incorporate the Florence Synodical Female College.

H. B. 108. To legalize and make valid the municipal election to be held in the city of Birmingham on the first Tuesday of December, 1882, and the registration of voters therefor, now being made in said city, as the same have been ordered and directed to be made by the mayor and aldermen of said city, and to prescribe the residence of electors in said city at said election.

H. B. 39. To punish the obtaining of money or property by means of false promises.

H. B. 62. To permit defendants to make statements in their own behalf in all trials of indictments, complaints or other criminal proceedings.

H. B. 163. To make an appropriation for the benefit of the sheriffs of this State ;

The last bill being ordered to the Senate forthwith, without engrossment.

And has passed the Senate bill—

s. 44. To amend an act to amend section 1400 and 1401 of the Code, approved March 1, 1881 ;

And has adopted the joint resolution herewith sent:

Fixing the time of inauguration of Hon. E. A. O'Neal, Governor elect, and proposing committee thereon.

Committee on part of House—

Messrs. Muldon, Graham and Simpson.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set forth in the above House message, were severally read the first time and ordered to a second reading.

The House joint resolution on the inauguration was adopted.

The President appointed as the committee on part of the Senate, under said resolution—

Messrs. Grant and McClellan.

REPORTS OF STANDING COMMITTEES.

Mr. Hargrove, from the judiciary committee, reported favorably, with amendments, the bill—

s. 19. To amend section 580 of the Code.

The amendments were adopted, as follows:

1st. Amend by striking out the words "five thousand," and insert in lieu thereof, the words "thirty-six hundred."

Adopted.

2d. Amend by adding additional section:

"Section 2. *Be it further enacted*, That this act shall take effect from and after the first day of January, 1883."

Adopted.

The bill was read a third time, and on motion of Mr. Brooks of Mobile, the further consideration of the bill was postponed, and made the special order for Monday next.

Also, from same committee, favorably, with amendments, the bills—

s. 20. To amend section 615 of the Code;

s. 21. To amend section 668 of the Code;

Which, with the pending amendments, were postponed and made the special orders for Monday next.

PRIVILEGED MOTION.

Mr. Brooks of Macon, arose to a question of privilege, and moved to reconsider the vote passing the bill—

s. 38. To amend an act for the protection of certain portions of the lands and plantations lying in Bullock county from depredations by stock, approved December 8, 1880, and amended February 24, 1881.

Mr. Norman moved to table the motion to reconsider.

Lost.

The motion to reconsider prevailed.

Mr. Brooks of Macon moved to reconsider the vote ordering the bill to a third reading.

Carried.

Mr. Brooks of Macon offered an amendment, and on his motion, the bill and amendment were recommitted to the committee on local legislation.

The Senate resumed consideration of

REPORTS FROM STANDING COMMITTEES.

Mr. Hargrove, from the judiciary committee, reported amendments to the bill—

s. 41. To prevent drunkenness in public places.

The amendments were adopted, as follows:

Amend first, by adding after the word "jurisdiction," in the third section the words "concurrent with circuit, city and county courts."

Adopted.

2d. Amend by adding:

"Section 4. *Be it further enacted*, That it shall be the duty of the judges of the circuit and city courts to give this act especially in charge of their respective grand juries."

Adopted.

On motion of Mr. Smith, the bill was amended, by adding in section 3, after the words "justices of the peace," the words "and notaries public with powers of justices of the peace."

Mr. Oden offered an amendment.

Lost.

Mr. Jackson offered an amendment, providing that the bill should not apply to members of the Legislature.

Mr. Smith moved to amend the amendment by striking out "members of the Legislature," and inserting "the Senator from Colbert."

On motion of Mr. Seay, both amendments were tabled.

On motion of Mr. Brewer, the words "one hundred" were stricken from the bill, and "twenty-five" inserted in lieu thereof.

The bill was ordered to a third reading.

Mr. Jones moved to reconsider the vote ordering the bill to a third reading.

Mr. Seay moved to table this motion.

Lost—yeas 11, nays 20.

Yeas—Messrs. President, Billups, Brown, Farnham, Griffin, McSpadden, Orr, Seay, Smith, Street, Ware—11.

Nays—Messrs. Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Gardner, Grant, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, Norman, Oden, Pate, Rushing, Shelby, Titcomb—20.

The motion to reconsider prevailed.

Mr. Mitchell offered an amendment.

Mr. Luckie moved to indefinitely postpone the bill and amendment.

Lost—yeas 11, nays 20.

Yeas—Messrs. Billups, Bowles, Grant, Griffin, Jackson, Luckie, McClellan, Mitchell, Oden, Pate, Shelby—11.

Nays—Messrs. President, Brewer, Brooks of Macon, Brooks

of Mobile, Brown, Davidson, Farnham, Gardner, Hargrove, Jones, Moorman, McSpadden, Norman, Orr, Rushing, Seay, Smith, Street, Titcomb, Ware—20.

Mr. Brewer moved to recommit the bill to the same committee.

Mr. Smith moved to substitute by recommitting to temperance committee.

Lost.

The bill was recommitted to the judiciary committee, with pending amendment.

By leave, Mr. McClellan, from the committee on municipal and county organizations, reported favorably the bill—

s. 34. To amend section 4 of an act to incorporate the city of Tuscaloosa, approved March 12, 1873 ;

Which was read a third time and passed—yeas 29, nays 0.

Yeas—Messrs. Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Ware—29.

ADJOURNMENT.

At 1:40 o'clock p. m., on motion of Mr. Brewer, the Senate adjourned.

TENTH DAY.

FRIDAY, November 24, 1882.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Murray, of the city.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—32.

The journal was read and approved.

ENROLLED BILLS.

Mr. Orr, from the committee on enrolled bills, reported the following bill correctly enrolled :

s. 44. To amend an act to amend sections 1400 and 1401 of the Code, approved March 1, 1881.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after its title had been publicly read, signed the bill, the title of which is set forth in the foregoing report of enrolling committee.

CALL OF THE DISTRICTS.

Bills were introduced :

By Mr. Brown—

s. 92. To provide for a county solicitor for Madison county.

By Mr. Grant—

s. 93. To establish a normal school for the education of white male and female teachers at Jacksonville, in Calhoun county.

By Mr. Hargrove (by request)—

s. 94. To amend section 1544 of the Code ;

Also (by request),

s. 95. To define the duties of judges of probate with reference to the issuing of license for the sale of intoxicating liquors.

By Mr. Farnham—

s. 96. For the better protection of farmers, and other persons therein named, in Conecuh county.

By Mr. Rushing—

s. 97. To repeal an act to regulate the publication of legal notices in the counties of Shelby, Cleburne, Baker, Marshall, DeKalb, Walker, Winston, Coosa, Franklin, St. Clair, Marion, Jefferson, Bibb, Lawrence, Dale, Geneva, Covington and Coffee, so far as the same relates to the counties of Coffee and Geneva ;

Also,

s. 98. To repeal an act to fix the pay of the sheriff of Coffee county, approved March 1, 1881.

By Mr. Bowles (by request)—

s. 99. To amend section 2670 of the Code.

Which were severally read the first time and ordered to a second reading.

BILLS ON SECOND READING.

The bills—

s. 80. To repeal an act to regulate the trial of misdemeanors in Madison county, approved February 9, 1877;

s. 82. To prescribe the time when objection must be taken to indictments;

s. 85. To regulate the terms of the courts in the first judicial circuit of Alabama;

s. 88. To amend section 4358 of the Code;

s. 89. To amend section 4361 of the Code;

s. 84. Regulating and fixing the fees of clerks of circuit and city courts of this State;

s. 91. To regulate the trial of misdemeanors in Calhoun county;

H. B. 39. To punish the obtaining of money or property by means of false promises;

H. B. 62. To permit defendants to make statements in their own behalf in all trials of indictments, complaints or other criminal proceedings;

Were severally read a second time and referred to the committee on the judiciary.

The bill—

H. B. 163. To make an appropriation for the benefit of the sheriffs of this State;

Was read a second time and referred to the finance committee.

The bills—

s. 81. To authorize executors and administrators to employ counsel in certain cases;

s. 87. To amend section 3113 of the Code;

s. 83. To declare the operation of section 4889 of the Code;

Were severally read a second time and referred to committee on revision of laws.

The bill—

s. 79. To provide for the better working of the public roads in Jackson county;

Was read a second time and referred to committee on local legislation.

The bills—

s. 78. To incorporate the S. R. and R. M. Lowery Industrial Academy, at Huntsville, Alabama ;

H. B. 18. To amend an act to incorporate the Florence Synodical Female College ;

Were severally read a second time and referred to committee on education.

The bill—

s. 86. To punish the hirer of any convict who fails to discharge such convict at the expiration of the term of his penal servitude ;

Was read a second time and referred to the committee on the penitentiary.

The bill—

s. 90. To incorporate the Scottsville Manufacturing Company ;

Was read the second time and referred to the committee on internal improvements.

The bill—

H. B. 108. To legalize and make valid the municipal election to be held in the city of Birmingham on the first Tuesday in December, 1882, and the registration of voters therefor now being made in said city, as the same has been ordered and directed to be made by the mayor and aldermen of said city, and to prescribe the residence of electors in said city at said election ;

Was read a second time and referred to a special committee, consisting of Messrs. Luckie, Oden and Griffin.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 24, 1882.

Mr. President :

The House has originated and passed the following bills :

H. B. 5. To increase the fees of constables in Barbour, Jefferson, Calhoun, Wilcox, Talladega, Greene, Dallas, Dale, Butler, Autauga, Hale, Jackson, Pike, Limestone, Sumter, Shelby, Perry, Cullman, Geneva, Franklin, Colbert, Russell, Lowndes, St. Clair, Chambers, Marshall, Blount, Madison, Coffee, Bullock and Henry.

H. B. 2. To pay the costs in the impeachment trial of Wiley E. Jones, probate judge of Barbour county.

[Accompanied with notice].

H. B. 91. To amend an act entitled an act for the preservation of game animals and birds in Perry county, approved Feb. 26, 1881.

H. B. 24. To repeal an act to better provide for the examination of the county offices, county jails, records of the courts of county commissioners and county chain gangs of Barbour and Coffee counties, in this State, and report thereon, approved February 26, 1881, so far as the same applies to the county of Coffee.

H. B. 47. To repeal an act entitled an act to regulate the publication of legal notices in the counties of Lamar and Fayette, approved February 4, 1879.

H. B. 79. To repeal an act entitled an act to regulate the trial of misdemeanors in Jackson county.

H. B. 48. To repeal an act to abolish the office of tax collector in the counties of Baldwin, Escambia and Sanford (now Lamar), as to Lamar county.

The House has adopted a joint resolution proposing joint committee in regard to a general law restricting the liquor traffic in this State ;

Also,

A memorial asking aid from the federal government for educational purposes.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set forth in the foregoing House messages, were severally read the first time and ordered to a second reading.

The House joint resolution was concurred in.

The President appointed as a committee on part of the Senate, under said resolution—

Messrs. McSpadden and Bowles.

The House memorial was referred to committee on federal relations.

REPORT FROM SELECT COMMITTEE.

By leave, Mr. Farnham, from a select committee, reported favorably, the bill—

s. 71. To appropriate fifty per cent. of the State tax of Conecuh county for the year 1882, to aid in the erection of a jail in said county;

Which, on motion of Mr. Seay, was indefinitely postponed—yeas 22, nays 9.

Yeas—Messrs. Brewer, Davidson, Gardner, Grant, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—22.

Nays—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Farnham, Griffin, Moorman, McSpadden—9.

REPORTS FROM STANDING COMMITTEES.

Mr. Hargrove, from the judiciary committee, reported favorably, the bill—

s. 50. To authorize railroad companies organized under the general incorporation law, to extend their lines and build branch roads ;

Which was read a third time and passed—yeas 30, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—30.

Mr. Brooks of Mobile, from the finance committee, reported favorably the bill—

s. 11. To amend section 435 of the Code ;

Which, on motion of Mr. Brooks of Mobile, was indefinitely postponed.

Mr. Jones moved to reconsider the vote on indefinite postponement.

Carried.

Mr. Troy offered an amendment, and on his motion the further consideration of the bill was postponed and made the special order for Tuesday next.

Also, from finance committee, reported favorably the bill—

s. 29. To repeal an act to increase the pay of jurors and witnesses in Lowndes county, approved December 16, 1853;

Which was read a third time and passed—yeas 31, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks

of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy and Ware—31.

Also, reported a substitute for the bill—

s. 8. For the relief of certain persons who had paid license money to the State.

The substitute was adopted, with caption, as follows:

s. 8. To refund certain moneys paid for license to the State and counties.

The bill was read a third time and passed—yeas 30, nays 0.

Yeas—Mr. Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—30.

Mr. Mitchell, from committee on revision of laws, reported favorably, with an amendment, the bill,

s. 60. To amend section fifteen of an act to confer additional jurisdiction upon the county court of Wilcox county, and to regulate proceedings therein, approved February 23, 1881.

The amendment was adopted as follows:

Amend by inserting after the last line in the bill the following: "When an appeal is taken to the circuit court the clerk of the county court shall make out a copy of all the proceedings had in said court, except the subpoenas for witnesses and the appeal bond, certify the same as correct, and file the same, together with the appeal bond, in the circuit court, and the clerk of the circuit court shall place the cause on the trial docket of criminal cases in the circuit court, and the clerk of the county court shall issue subpoenas for such witnesses as may be required both for the State and the accused, returnable to the next term of the court to which the appeal is taken, which subpoenas shall be executed by the sheriff and returned to said circuit court; and, if witnesses so summoned, fail to appear and testify, as required, they shall be liable to the same penalties, forfeitures and proceedings as if the subpoenas had been issued out of the circuit court. If the defendant fails to appear at the circuit court, as required by the appeal bond, he shall be liable to the same penalties, forfeitures and proceedings, as on a forfeited

bail bond taken in that court, and a new warrant of arrest may issue from that court without any other authority therefor. Such warrant of arrest must be directed to any sheriff of the State of Alabama, and when the defendant is arrested he must be dealt with in all respects, as if the arrest had been made on *capias* from the circuit court. The trial in the circuit court shall be *de novo*, and when the defendant was not indicted by the grand jury the solicitor shall make a brief statement of the cause of complaint signed by him, which shall be in the following form:

THE STATE OF ALABAMA, } In the Circuit Court,
WILCOX COUNTY. } ———Term, 18——.

On appeal from the county court the State of Alabama, by its solicitor, complains of C. D., that within twelve months before the commencement of this prosecution, he did, etc., (as in cases of indictment).

On the trial of such appeals, the court shall be governed by the same rules as to evidence, practice, finding of the jury and punishment, as if the case had originated in that court.

The bill was read a third time and passed—yeas 32, nays 0.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—32.

JOINT RESOLUTIONS.

By leave,

Mr. Luckie offered a joint resolution—

Authorizing joint committee appointed to examine offices of Auditor and Treasurer to employ a clerk at a compensation of four dollars *per diem*.

Adopted.

By leave,

Mr. Brooks of Mobile, offered a joint resolution—

On the observance of Thanksgiving Day by the two houses.

Adopted.

The two joint resolutions were ordered to the House forthwith.

The Senate resumed consideration of

REPORTS FROM STANDING COMMITTEES.

Mr. Seay, from committee on local legislation, reported favorably the bill—

s. 57. To repeal section four of an act to amend section 4109 of the Code, and to provide for its enforcement, approved February 19, 1881, so far as the same relates to the counties of Lawrence and Colbert;

Which, on motion of Mr. Hargrove, was postponed and made the special order for Tuesday next.

Mr. Seay, from same committee, reported an amendment to the bill,

s. 62. To amend section 2591 of the Code.

The amendment was adopted as follows:

"Amend by striking out the second section of the bill."

The bill was ordered to a third reading, and on motion of Mr. Hargrove, that vote was reconsidered.

On motion of Mr. Troy the bill was further amended by inserting after the word "cases," in 19th line, the following, viz: "if the estate is solvent and more than eighteen months have elapsed from the grant of administration, and."

Mr. McSpadden offered an amendment.

Lost.

The bill was read a third time and passed—yeas 27, nays 2.

Yeas—Mr. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—27.

Messrs. Orr and Shelby voted no.

Also, favorably, with an amendment, the bill—

s. 38. To amend an act for the protection of certain portions of the lands and plantations lying in Bullock county from depredations by stock, approved December 8, 1880, and amended February 24, 1881.

The amendment was adopted as follows:

Add to section 1, "and provided the provisions of this act shall not apply to any stock from Macon county"—yeas 27, nays 3.

Yeas—Mr. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy—27.

Messrs Norman, Seay and Ware voted no.

The bill was read a third time and passed—yeas 29, nays 1.

Yeas—Mr. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy—29.

Mr. Ware voted no.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

November 24, 1882.

Mr. President :

The House has adopted the Senate joint resolution authorizing the committee on examining the offices of Auditor and Treasurer to employ a clerk ;

Also,

Has amended, as therein shown, and adopted the Senate joint resolution—

In reference to the observance of thanksgiving day.

D. W. McIVER, Clerk.

HOUSE MESSAGE.

The House amendment to Senate joint resolution on thanksgiving day was concurred in.

ADJOURNMENT.

At 2:10 P. M., on motion of Mr. Grant, the Senate adjourned.

ELEVENTH DAY.

SATURDAY, November 25, 1882.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Murray, of the city.

Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Jackson, Jones, McClellan, Mitchel, Moorman, McSpadden, Norman, Oden, Pate, Rushing, Shelby, Smith, Street, Titcomb, Ware—27.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Seay and Griffin till Tuesday, and to Messrs. Hargrove and Orr indefinitely, on account of sickness.

MOTION TO RECOMMIT.

By leave,

Mr. Titcomb moved to withdraw from the committee on federal relations the House memorial asking aid from the federal government for educational purposes.

Lost.

PETITION.

The President of the Senate laid before the Senate s. 100. The petition of citizens of Colbert county against the repeal of the act amending section 4109 of the Code, so far as it relates to that county ;

Which was postponed and made the special order (with s. 57) for Tuesday next.

CALL OF DISTRICTS.

Bills were introduced :

By Mr. McSpadden—

s. 101. To amend section 3058 of the Code.

By Mr. Oden—

s. 102. To amend section 3467 of the Code ;

Also,

s. 103. To incorporate the Rockford High School;

Also (by request),

s. 104. To regulate the practice in examination of witnesses on character;

Also,

s. 105. To repeal section 4990 of the Code.

By Mr. Jones—

s. 106. To relieve defendants who have been admitted to bail, charged with any criminal offense, from being in the custody of the sheriff until, on the trial of such defendant, the jury retires to make up their verdict.

By Mr. Norman—

s. 107. To allow defendants, in actions of ejectment and in actions brought in the nature of actions of ejectments, where the plaintiff relies upon a mortgage as his title, to set up certain defenses;

Also (by request),

s. 108. To provide for the removal of estates of deceased persons by the heirs, distributees, devisees, legatees or legal representatives of such estates, from the probate courts into the chancery courts.

By Mr. Brewer—

s. 109. To diminish the public debt of the State.

By Mr. Rushing—

s. 110. To provide for the examination of the county offices, county jail, records of the court of county commissioners and the county chain gangs, and report thereon.

Which were severally read the first time and ordered to a second reading.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., November 25, 1882.

Mr. President :

The Governor has approved the following bill, which originated in the Senate :

s. 44. To amend sections 1400 and 1401 of the Code, approved March 1st, 1881.

Respectfully,

W. G. HUTCHESON,
Recording Secretary.

QUESTION OF PRIVILEGE.

Mr. Troy arose to a question of privilege, and moved to reconsider the vote on the passage of the bill—

s. 38. To amend an act for the protection of certain portions of the land and plantations lying in Bullock county from depredations by stock, approved December 8, 1880, and amended February 24, 1881.

And on his motion, the bill and the motion to reconsider were postponed and made the special order for Saturday next.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 25, 1882.

Mr. President :

The House has originated and passed the following bills :

H. B. 22. To authorize the rendition of decrees of strict foreclosure in mortgage suits in equity.

H. B. 118. To make the fees of bonded constables of Marengo county the same as the sheriff's, when performing the same services.

H. B. 111. To repeal an act entitled "An act in relation to trials of misdemeanors in Tuscaloosa and other counties therein named, so far as Lamar county is concerned."

H. B. 105. To amend section 871 of the Code of Alabama, so as to include houses or other buildings.

H. B. 70. To allow the sheriffs of Crenshaw, Conecuh and Chilton counties the same compensation for executing process of any kind in the justice court as is now allowed by law for same service in the circuit court.

H. B. 88. To amend section 3976 of the Code.

H. B. 82. To provide for the preservation of the census reports in the hands of probate judges in Alabama.

H. B. 81. To amend section 4340 of the Code.

H. B. 125. To amend sections 3218 and 3219 of the Code.

H. B. 121. To provide for the compensation of jurors in Mobile county.

H. B. 63. To punish the taking of rebates.

And has passed the Senate bill—

s. 7. To fix the time of holding the circuit courts in Cleburne county.

And has adopted a joint resolution—

Proposing a joint committee on the revision of the State revenue laws.

Committee on part of House,

Messrs. Brown of Tuscaloosa, Hamilton and Smith of Dallas.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set forth in the foregoing House message, were severally read the first time and ordered to a second reading.

The House joint resolution in said message was concurred in.

The President appointed as committee under said resolution, on part of the Senate—

Messrs. Brooks of Mobile and Norman.

BILLS ON SECOND READING.

The bills—

s. 92. To provide for a county solicitor for Madison county ;

s. 95. To define the duties of judges of probate, with reference to the issuing of license for the sale of intoxicating liquors ;

H. B. 2. To pay the costs in the impeachment trial of Wiley E. Jones, probate judge of Barbour county ;

H. B. 47. To repeal an act entitled "An act to regulate the publication of legal notices in the counties of Lamar and Fayette," approved February 4, 1879 ;

H. B. 79. To repeal an act entitled "An act to regulate the trial of misdemeanors in Jackson county ;"

Were severally read a second time and referred to the committee on the judiciary.

The bills—

s. 99. To amend section 2670 of the Code ;

s. 97. To repeal an act to regulate the publication of legal notices in the counties of Shelby, Cleburne, Baker, Marshall, DeKalb, Walker, Winston, Coosa, Franklin, St. Clair, Marion, Jefferson, Bibb, Lawrence, Dale, Geneva, Covington and Coffee, so far as the same relates to the counties of Coffee and Geneva ;

H. B. 48. To repeal an act to abolish the office of tax collector in the counties of Baldwin, Escambia and Sanford (now Lamar), as to Lamar county;

H. B. 5. To increase the fees of constables in Barbour, Jefferson, Calhoun, Wilcox, Talladega, Greene, Dallas, Dale, Butler, Autauga, Hale, Jackson, Pike, Limestone, Sumter, Shelby, Perry, Cullman, Geneva, Franklin, Colbert, Russell, Lowndes, St. Clair, Chambers, Marshall, Blount, Madison, Bullock and Henry;

Was read a second time and referred to the committee on revision of laws.

The bill—

s. 93. To establish a normal school for the education of white male and female teachers, at Jacksonville, in Calhoun county;

Was read a second time and referred to the committee on education.

The bills—

H. B. 91. To amend an act entitled an act for the preservation of game animals and birds in Perry county, approved February 26, 1881;

H. B. 34. To repeal an act to better provide for the examination of the county offices, county jails, records of the courts of county commissioners and county chain gangs of Barbour and Coffee counties, in this State, and to report thereon, approved February 26, 1881, so far as the same applies to the county of Coffee;

s. 96. For the better protection of farmers and other persons therein named, in Conecuh county;

s. 98. To repeal an act to fix the pay of the sheriff of Coffee county, approved March 1, 1881;

Were severally read a second time and referred to committee on local legislation.

The bill—

s. 94. To amend section 1544 of the Code;

Was read a second time and referred to committee on temperance.

REPORTS FROM STANDING COMMITTEES.

Mr. Brewer, from committee on internal improvements, reported favorably the bill—

s. 32. To amend the charter of the East and West Rail-

road Company of Alabama, and to enable said company to engage in mining operations ;

Which was read a third time, and on motion of Mr. Farnham, postponed and made the special order for Monday next.

Mr. McClellan, from the committee on municipal and county organization, reported favorably the bill—

s. 51. To better provide for the examination of the county offices, county jail, records of the court of county commissioners and county chain gangs of Russell county, in this State, and report thereon ;

Which was read a third time and passed—yeas 26, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Jackson, Jones, McClellan, Mitchell, Moorman, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy, Ware—26.

Also, favorably the bill—

s. 72. To amend an act, approved March 4, 1875, to incorporate the town of Elba, in Coffee county ;

Which was read a third time and passed—yeas 26, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Jackson, Jones, McClellan, Mitchell, Moorman, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy, Ware—26.

Also, favorably the bill—

H. B. 42. To repeal an act entitled an act to require apportioners and overseers of roads in the counties of Fayette, Lamar, Marion and Cherokee to do road service after the expiration of their term of service as such apportioners and overseers, so far as said act relates to Fayette, Lamar, Marion, St. Clair and Cherokee counties, approved February 13, 1879 ;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Davidson, Farnham, Gardner, Grant, Jackson, Jones, Mitchell, Moorman, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy—23.

Mr. Billups, from committee on temperance, reported favorably the bill—

s. 1. To repeal an act to prohibit the manufacture, or sale or other disposition of vinous, spirituous or malt or other intoxicating liquors within the limits of the counties of Lime-

stone and Clarke, in this State, approved February 24, 1881, so far as the same relates to Limestone county ;

Which was read a third time and passed—yeas 22, nays 1.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Farnham, Gardner, Jackson, Jones, McClellan, Mitchell, Moorman, Pate, Rushing, Shelby Smith, Street, Titcomb, Troy, Ware—22.

Mr. Orr voted no.

Also, favorably, the bill—

s. 53. To repeal an act to prohibit the sale, or disposing of spirituous, vinous or malt liquors, or intoxicating beverages, and bitters, within the limits of the counties of Monroe, Escambia and Pickens counties, approved February 23, 1881, so far as it relates to the county of Pickens ;

Which was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Jones, McClellan, Mitchell, Moorman, Oden, Orr, Pate, Rushing, Smith, Street, Titcomb, Ware—21.

Also, favorably, the bill—

s. 70. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters or beverages within three miles of Soule's Chapel Church, in Pickens county ;

Which was read a third time and passed—yeas 23, nays 1.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Jackson, Jones, McClellan, Mitchell, Moorman, Norman, Oden, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy, Ware—23.

Mr. Orr voted no.

Also, favorably, the bill—

s. 48. To prohibit the sale or disposing of spirituous, vinous or malt liquors, or other intoxicating beverages, in the county of Wilcox, on and after the first day of April, 1883 ;

Mr. Troy moved to amend by striking out "on his own premises," in the last line of the bill, and inserting "in this State ;"

Also to postpone the bill and make it the special order for Monday, immediately after reading the journal.

The motion to postpone prevailed.

Also, from same committee, reported favorably the bill—

s. 58. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters or beverages, within five miles of the town of Bremen, in Cullman county, Alabama;

Which was read a third time and passed—yeas 23, nays 1.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Jones, Mitchell, Moorman, Norman, Oden, Orr, Pate, Rushing, Smith, Street, Titcomb, Troy, Ware—23.

Mr. Jackson voted no.

Mr. Smith, from the judiciary committee, reported favorably, with an amendment, the bill—

s. 69. To regulate the trials of misdemeanors in Sumter county;

The amendment was adopted, as follows :

Amend by substituting section 16, as follows :

“Section 26. *Be it further enacted*, That all appeals by defendants from trials in criminal causes for misdemeanors from justices of the peace, or notaries public with powers of justices of the peace, shall be taken to the county court to be held at Livingston or Gainsville, as the case may be.” And make section 15 of the bill section 16.

The bill was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Jackson, Jones, McClellan, Mitchell, Moorman, Norman, Oden, Orr, Pate, Rushing, Smith, Street, Titcomb, Ware—24.

REPORT FROM SELECT COMMITTEES.

By leave, Mr. Oden, from a select committee, reported favorably the bill—

H. B. 108. To legalize and make valid the municipal election to be held in the city of Birmingham on the first Tuesday of December, 1882, and the registration of voters therefor, now being made in said city as the same have been ordered and directed to be made by the mayor and aldermen of said city, and to prescribe the residence of electors in said city at said election ;

Which was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner,

Grant, Jones, McClellan, Mitchell, Moorman, Norman, Oden, Orr, Pate, Rushing, Street, Titcomb, Troy, Ware—22.

Mr. Mitchell, from the joint committee, to which was referred a joint resolution to ascertain the legislation necessary to provide for the payment of sheriff's fees for feeding prisoners, reported that the committee had prepared a bill on that subject, which had been introduced in the House, and asked to be discharged.

The committee were discharged.

JOINT RESOLUTION.

By leave, Mr. Troy offered a joint resolution to appoint a joint committee to consider the legislation necessary to protect the interests of persons near line of district, where stock is prohibited from running at large.

The resolution was adopted, and the President announced as said committee on part of the Senate—

Messrs. Davidson, Street and Orr.

ENROLLED BILLS.

Mr. Orr, from committee on enrolled bills, reported the following bill as correctly enrolled :

s. 7. To fix the time of holding the circuit court in Cleburne county.

SIGNING OF BILL.

The President of the Senate, in the presence of the Senate, immediately after its title had been publicly read, signed the bill, the title of which is set forth in the foregoing report of the enrolling committee.

JOINT RESOLUTION.

By leave, Mr. Orr offered—

s. 111. A joint resolution and memorial to Congress of the United States, asking passage of bill (s. 1667), granting certain franchises to the St. Louis, Montgomery and Florida Railroad and Immigration Company ;

Which was referred to committee on federal relations.

ADJOURNMENT.

At 1:30 p. m., on motion of Mr. Farnham, the Senate adjourned.

TWELFTH DAY.

MONDAY, November 27, 1882.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Shackelford, of the House.

Present—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—28.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Indefinite leave of absence was granted Mr. Billups on account of sickness.

The

SPECIAL ORDER,

Which was,

The bill—

s. 48. To prohibit the sale, or disposing of vinous, or malt liquors, or other intoxicating beverages in the county of Wilcox, on and after the first day of April, 1883,

Was taken up;

Mr. Troy offered an amendment to the pending amendment, as follows:

Add to amendment the words: "In the manufacture, or preparation of which there has been no intermixture of distilled, or alcoholic liquor."

Lost—yeas 11, nays 18.

Yeas—Messrs. President, Brown, Davidson, Luckie, McSpadden, Norman, Pate, Rushing, Shelby, Street, Troy—11.

Nays—Messrs. Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Farnham, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, Norman, Oden, Orr, Smith, Thomas, Titcomb, Ware—17.

Mr. Troy, by leave, withdrew the pending amendment.

The bill was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Bowles, Brewer, Brooks of

Macon, Brooks of Mobile, Brown, Davidson, Farnham, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Street, Thomas, Titecomb, Ware—23.

CALL OF DISTRICTS.

Bills were introduced—

By Mr. McClellan—

s. 112. To amend section 29 (34) of the Code.

By Mr. Brown—

s. 113. To amend an act to regulate and fix the time of holding the courts in the several counties composing the 7th judicial circuit, approved March 1st, 1881.

By Mr. Farnham—

s. 114. To authorize the mortgaging of crops planted or unplanted.

By Mr. Troy—

s. 115. To authorize application to be made to the Congress of the United States to appropriate the sum of \$10,-388,072.10, the amount of tax on raw cotton collected in this State, as a public school fund for this State, and to provide for the investment of said fund;

Also,

s. 116. To fix the tenure of office of railroad commissioners.

By Mr. Bowles—

s. 117. To provide for the appointment of not exceeding two marshals for each precinct in the several counties of the State, who shall be bonded officers, and who shall have the powers and be subject to the same laws governing the action of constables and entitled to the same fees;

Which were severally read the first time and ordered to a second reading.

BILLS ON SECOND READING.

The bill—

H. B. 70. To allow the sheriff of Crenshaw, Conecuh and Chilton counties the same compensation for executing process of any kind in the justice court, as is now allowed by law for the same service in the circuit court.

Mr. Titcomb moved to amend by inserting "Monroe and Jefferson," after the word "Chilton."

Adopted.

The bill was read a second time and referred to the committee on local legislation.

The bill—

H. B. 118. To make the fees of bonded constables of Mar-engo county the same as the sheriffs when performing the same services.

Mr. Titcomb moved to amend by striking out "county" and inserting "Barbour and Monroe counties."

Adopted.

The bill was read a second time and referred to the committee on local legislation.

The bill—

s. 103. To incorporate the Rockford High School;

Was severally read a second time and referred to the committee on education.

The bill—

s. 109. To diminish the public debt of the State;

Was read a second time and referred to the committee on finance.

The bill—

s. 110. To provide for the examination of the county officers, county jails, records of the court of county commissioners and the county chain-gangs;

Was read a second time and referred to the committee on municipal and county organizations.

The bills—

s. 105. To repeal section 4990 of the Code;

s. 101. To amend section 3058 of the Code;

Were severally read a second time and referred to the committee on revision of laws.

The bills—

s. 102. To amend section 3467 of the Code;

s. 104. To regulate the practice in examination of witnesses on character;

s. 106. To relieve defendants who have been admitted to bail, charged with any criminal offense, from being in the custody of the sheriff, until on the trial of such defendant, the jury retires to make up their verdict;

s. 107. To allow defendants in the actions of ejectment and in actions brought in the nature of actions of ejectment, where the plaintiff relies upon a mortgage as his title, to set up certain defenses;

s. 108. To provide for the removal of estates of deceased

persons, by the heirs, distributees, devisees, legatees or legal representatives of such estates from the probate courts into the chancery courts;

Were severally read a second time and referred to the committee on the judiciary.

The bill—

H. B. 82. To provide for the preservation of the census reports in the hands of probate judges in Alabama;

Was read a second time and referred to the committee on municipal and county organizations.

The bills—

H. B. 105. To amend section 871 of the Code of Alabama, so as to include houses or other buildings;

H. B. 111. To repeal an act entitled an act in relation to trials of misdemeanors in Tuscaloosa and other counties therein named, so far as Lamar county is concerned.

H. B. 121. To provide for the compensation of jurors in Mobile county;

Were severally read a second time and referred to the committee on the revision of laws.

The bills—

H. B. 22. To authorize the rendition of decrees of strict foreclosure in mortgage suits in equity;

H. B. 63. To punish the crime of taking rebates;

H. B. 81. To amend section 4340 of the Code;

H. B. 88. To amend section 3976 of the Code;

H. B. 125. To amend section 3218 and 3219 of the Code;

Were severally read a second time and referred to the committee on the judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

NOVEMBER 27, 1882.

Mr. President :

The House has originated and passed the following bills:

H. B. 164. To amend section 2945 of the Code;

H. B. 236. To amend an act entitled an act to provide for additional accommodations for the insane of Alabama, approved February 26, 1881;

H. B. 41. To require applicants for license to teach in the public schools of Alabama, who hold diplomas, to pay the same fees for license as other applicants;

H. B. 112. To amend subdivision 4 of section 757 of the Code of Alabama, to increase the jurisdiction of justices of the peace and notaries public who are *ex-officio* justices of the peace in actions brought to recover specific property ;

H. B. 203. To amend section 4409 of the Code ;

H. B. 151. For the relief of Elisha B. Lott, and his securities, as tax collector of Mobile county.

The House has passed the bill—

s. 34. To amend section 4 of an act to incorporate the city of Tuscaloosa, approved March 12, 1873.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set forth in the foregoing House message, were severally read the first time and ordered to a second reading.

REPORTS FROM STANDING COMMITTEES.

Mr. Troy, from the judiciary committee, reported a substitute for the bill—

s. 49. To amend section 1843 of the Code.

The substitute was adopted ;

And the bill was read a third time and passed—yeas 27, nays 0.

Yeas—Messrs. President, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Hargrove, Jackson, Jones Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—27.

Also, favorably the bill—

s. 76. To expedite the trial of civil causes in which the presiding judge is legally incompetent to hear and determine the same ;

Which was read a third time and passed—yeas 26, nays 0.

Yeas—Messrs. President, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Hargrove, Jackson, Jones, Luckie, McClellan, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—26.

At the hour of 12 o'clock, the

SPECIAL ORDERS

Were taken up.

First.

The bill—

s. 19. To amend section 580 of the Code;

Was passed—yeas 20, nays 8.

Yeas—Messrs. President, Bowles, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Grant, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, Norman, Oden, Smith, Thomas, Titcomb, Troy, Ware—20.

Nays—Messrs. Brown, Jackson, McSpadden, Orr, Pate, Rushing, Shelby, Street—8.

Second.

The bill (s. 20) was next considered—

s. 20. To amend section 615 of the Code.

Mr. Brooks of Mobile, moved to amend pending amendment by striking out \$3,000 00 and inserting \$3,250 00.

Mr. Brewer moved to table.

Lost.

The amendment to the amendment was lost—yeas 6, nays 23.

Yeas—Messrs. Brooks of Mobile, Farnham, Luckie, Mitchell, Thomas, Troy—6.

Nays—Messrs. President, Bowles, Brewer, Brooks of Macon, Brown, Davidson, Grant, Hargrove, Jackson, Jones, McClellan, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Ware—23.

The amendment was adopted.

The bill was read a third time and passed—yeas 21, nays 7.

Yeas—Messrs. President, Bowles, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Grant, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, Norman, Oden, Orr, Smith, Thomas, Titcomb, Troy, Ware—21.

Nays—Messrs. Brown, Jackson, McSpadden, Pate, Rushing, Shelby, Street—7.

Third.

The bill—

s. 21. To amend section 668 of the Code;

Was taken up.

The pending amendment was adopted, as follows:

Amend by adding—

"Section 2. Be it further enacted, That this act shall take effect from and after the first day of January, 1883."

Mr. Brewer moved to amend by striking out \$3,000 00 and inserting \$2,750 00.

Lost—yeas 10, nays 19.

Yeas—Messrs. Brewer, Brown, Davidson, Jackson, McSpadden, Orr, Pate, Rushing, Shelby, Street—10.

Nays—Messrs. President, Bowles, Brooks of Macon, Brooks of Mobile, Farnham, Grant, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, Norman, Oden, Smith, Thomas, Titcomb, Troy, Ware—19.

The bill was read a third time and passed—yeas 20, nays 9.

Yeas—Messrs. President, Bowles, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Grant, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, Norman, Oden, Smith, Thomas, Titcomb, Troy, Ware—20.

Nays—Messrs. Brewer, Brown, Jackson, McSpadden, Orr, Pate, Rushing, Shelby, Street—9.

Fourth.

The bill—

s. 32. To amend the charter of the East and West Railroad Company of Alabama, and to enable said company to engage in mining operations;

Was taken up, read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Shelby, Smith, Street, Thomas, Troy, Ware—23.

The bill was ordered forthwith to the House without engrossment.

MESSAGE FROM THE GOVERNOR,

By his recording secretary, W. G. Hutcheson :

EXECUTIVE OFFICE,
Montgomery, Ala., November 27, 1882.

To the Senate and House of Representatives :

I herewith lay before the two houses the report of the

board of trustees of the Agricultural and Mechanical College of Alabama, and the accompanying papers.

Also, the report of the board of commissioners of the Deaf and Dumb and the Blind Asylum at Talladega, and the accompanying papers.

R. W. COBB,
Governor.

On motion of Mr. Hargrove, the Governor's message and accompanying documents were tabled, and one thousand copies of each of the accompanying documents were ordered printed for the use of the Senate.

RESOLUTION.

Mr. Brewer offered a joint resolution—

To discharge the joint committee on the revenue system ;

Which, on motion of Mr. Brooks of Macon, was tabled.

On motion of Mr. Brewer, he was discharged from the joint committee on immigration.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., November 27, 1882.

Mr. President :

The Governor has approved the following bill, which originated in the Senate :

s. 7. An act to fix the time of holding the circuit court in Cleburne county.

I am also directed by his Excellency, the Governor, to communicate to the Senate a message in writing.

Respectfully,

W. G. HUTCHESON,
Recording Secretary.

EXECUTIVE OFFICE.

MONTGOMERY, ALABAMA,
November 27, 1882.

To the Senate and House of Representatives :

Almost from the first day of its organization, the peniten-

tiary has been a source of trouble and solicitude to the State, and until very recently its operation has been unprofitable in every sense. It has pressed itself upon my consideration, as it had pressed itself upon the attention of my predecessors, by its importance as a penal and reformatory institution and by the extent and character of its relations with the State treasury. I have been solicitous to make it more profitable to the State, and at the same time to mitigate the severity of its discipline and punishment. I have looked diligently into its history with a sincere purpose to profit by the errors of its past management, and to correct evils that have crept into its administration. Unfortunately, our records are so imperfect that information much needed cannot be had. There can be found no report of warden or inspectors of an earlier date than 1866. It is only of late years that the messages of the Governors have any statistics relating to it; and there is here no message between that of Gov. Fitzpatrick, dated December 2, 1845, and that of Gov. Collier, dated November 2, 1853, the journals of the two Houses, both printed and in manuscript, for the intervening years being lost, or destroyed, or out of print. The message of 1859-60 is the first in which the number of convicts (216) is stated. From the scanty information I have obtained, I can only very unsatisfactorily review the course of the prison.

OLD TIME PENALTIES.

Previous to 1836, the punishment in Alabama for most of the graver felonies was death. This was the penalty for treason, petit treason, murder, rape, stealing or selling any free person as a slave, arson, robbery, burglary, the stealing of a slave, counterfeiting and some other offenses. Other punishments for crimes of lower grades were fines, imprisonment, the pillory, the lash and branding. In 1836 an act to mitigate the severity of the penal laws of the State, reduced the punishment, in cases of white persons, for arson, robbery, burglary, forgery and counterfeiting, to imprisonment not exceeding two years and thirty-nine lashes on the bare back. There was imprisonment for debt in those days; but no hard labor, or lashes, or pillory, or branding for debt.

THE ESTABLISHMENT OF THE PENITENTIARY.

On the 29th of January, 1839, Gov. Bagby approved an

act "to establish a State prison and penitentiary," and appropriating thirty thousand dollars therefor. This act provided for the election by the legislature of three commissioners to superintend the construction of the necessary buildings, and of three competent persons to prepare a code of criminal laws adapted to the new system of punishment, and a set of rules for the organization and government of the prison. At a night joint session of the two houses on the day the act was approved, the penitentiary was located at Wetumpka, the vote being, for Wetumpka 60, for Montevallo 25, for Tuscaloosa 17, for Centerville 4, and for Marion 4; and at the same joint session, Henry W. Collier, Henry Goldthwaite and John J. Ormond were elected to prepare the penal code, and William Hogan, A. A. McWhorter and —. Smith were chosen building commissioners. The double purpose of the penitentiary was explained by the Governor to be to satisfy the claims of offended justice by affixing a moderate, but adequate and certain punishment to such offenses as it was adapted to, and at the same time to alleviate, as far as human means could alleviate, consistently with the stern and inflexible rules of justice, and the miserable and pitiable condition of criminal and degraded humanity.

The Governor's message dated December 2, 1839, stated that work on the prison had been retarded, but was in progress, and that the total cost would be \$84,889.

In communicating to the General Assembly of 1840-41, the proposed, but not yet adopted, criminal code, Gov. Bagby said: "In fact, the introduction of the penitentiary system of itself affords the clearest indication that the great object of the legislature was, as it should have been, to restrain the hand of lawless violence and to relieve offenders, except of the very highest grade, from the ignominy of public corporeal punishment and to reform them if possible, by excluding them from temptation and the haunts of vice by solitary confinement and employment."

The penal code was adopted January 9, 1841. The penitentiary was completed October 27, 1841. The penal code was proclaimed in full force and effect November 2, 1841. November 20, 1841, William Hogan was elected the first warden, and J. M. Armstrong, S. S. Simmons and John Watson the first inspectors. The new system was thus put in operation, and \$10,000 was appropriated for the current expenses of the first year, including the erection of some workshops and other improvements.

ITS OPERATION BY THE STATE.

In his message of December, 1842, Gov. Fitzpatrick expressed great satisfaction with the operations and promises of the prison. He said the government and whole internal police were alike creditable to the State and the officers who had the management of it, and he could but regard the radical change in the punishment of crimes and offenses by the system then adopted as a most salutary innovation upon our former laws. One of the inspectors was reported by name, as delinquent in the discharge of his duties; and more money was wanted.

A year later, there appears to have been some dissatisfaction with the prison management. A new warden and inspectors were to be elected; and Warden Hogan had permitted convicts to write letters to members of the Legislature urging his re-election. This was made the subject of legislative enquiry, and a committee, through its chairman, Mr. Yancey, reported that such correspondence, which was proved, was palpably improper. Mr. Hogan was not re-elected. December 20, 1843, William S. Kyle, John Watson and L. P. Saxon were elected inspectors, and on the 3d of January, 1844, Achilles Bradley was elected warden. The warden had not only expended all the appropriations made, but had run the prison in debt; and January 5, 1844, Mr. Yancey, from the committee, reported that fact to the House, with a resolution declaring it thereafter unlawful for the warden or other officer or officers to create debts. It also appears, that the warden, unmindful of the humane purposes of the prison, had inflicted upon refractory convicts other punishment than that of solitary confinement, the only punishment authorized by the Code in such cases, and the House committee, censuring this, reported a resolution to authorize in extreme cases such severer punishment as should be deemed most advisable by the warden, physician and inspectors, or a majority of them, "provided, that in no case should whipping be allowed."

At the beginning of the session of 1844-5, the prison was becoming a matter of considerable concern. There had been a fire, by which a row of wooden workshops had been burned. Warden Hogan, before retiring, drew the \$8,000 appropriated in 1843-4 for the current expenses of the year, and applied the whole of it to the payment of some of the debts of the

prison. When the new warden entered upon his duties, he found himself without money, or materials, or supplies for the support of the convicts. There was no alternative, and Gov. Fitzpatrick advised purchases on credit, and advanced to the warden \$1,000 from the contingent fund. The message at this session gives us no other information of the financial condition of the prison, but January 29, 1845, an appropriation of \$15,000 was made for it, which was subsequently found to be wholly insufficient.

When the Legislature met in December, 1845, the financial condition of the prison was pretty nearly as bad as it could be. In his message, the Governor said: "The institution, however, has for some time labored under heavy pecuniary embarrassments, which have, to a considerable extent, impeded its operations. * * * The sum of \$15,000 appropriated at the last session of the General Assembly for the support of the penitentiary the coming year, it is to be regretted, was wholly insufficient to do so, and at the same time discharge the debts due by the institution at the period when the appropriation was made. A large number of the debts due last year have consequently not been paid. I am not informed of the exact amount owed by the penitentiary."

From a report made by a Senate committee December 24, 1845, it appears that to that time the State had appropriated for the support of the penitentiary \$42,000, viz: In 1841-2, \$10,000; 1842-3, \$8,000; in 1843-4 (including \$1,000 from the Governor's contingent fund), \$9,000, and in 1844-5, \$15,000. To this time the sale of penitentiary fabrics had amounted to \$21,565.75. At this session (1845-6), appropriations to the amount of \$11,576.44 were made to pay the debts of the penitentiary. Thomas Cargill was elected warden, and F. McLemore, W. S. Kyle and Richard J. Harrison were elected inspectors.

THE LEASE SYSTEM.

On the 4th of February, 1846, the Governor approved an act to lease the penitentiary, including buildings, convicts, machinery and other property, for a term of six years, provided, "that the State shall in no case pay the lessee anything in consideration of his taking charge of the penitentiary beyond the permission to take to himself the profits of the

labor of the convicts." Under this act, the prison and all things thereunto pertaining appears to have been leased to J. G. Graham, who does not seem to have undertaken to pay anything for it. The lessee became warden, and all the other officers, except those of physician and inspector, were abolished.

In 1852, the penitentiary was again leased for a term of six years, and M. G. Moore and F. Jordan became lessees at an annual rental of \$650, which up to September 30, 1857, they they had failed and refused to pay, as stated by the Auditor in his report of that date, and there is no evidence that it was ever paid.

In 1858, at the expiration of the lease to Moore & Jordan, Dr. Ambrose Burrows became lessee for six years, at \$1,550 a year. Dr. Burrows died in 1862, and the State resumed control, with M. G. Moore as warden.

Little is known of the number, treatment or health of the convicts, or of the condition of the buildings, or of the extent and character of the machinery, during the period covered by these leases, and I cannot learn the names of the inspectors who were appointed by the Governor after 1848. In 1855, Governor Winston thought the system a bad one, adopted as a *dernier resort*, and "an abandonment of the expectation of reformation, which," he said, "was one of the chief arguments in favor of that system of punishment." "The health of the convicts for the last year," he added, "appeared to have been worse than usual." In 1857, Governor Winston still thought the system a bad one, and advocated "a return to the death penalty for the worst offenses, and a different punishment for the lesser, then punished by sentence to the penitentiary," to "relieve the public from supporting the convicts in institutions of this kind." In 1859, Governor Moore said there were 216 convicts in the prison; but his message contains no other information. A report of the Senate committee, on the 5th of December, 1861, said the convicts were well provided for by the lessee, and nothing more.

THE STATE AGAIN IN CHARGE.

It is learned from the message of Governor Shorter of November 9th, 1863, that for the eighteen months previous to September 30th of that year, "the health of the convicts has been unusually good, and the entire operation of the prison

has been most successfully conducted. There were then in the prison twenty-five convicts from Mississippi. During that period, the warden had paid into the State treasury \$80,000, and had in cash \$23,000 more, and the "stock on hand" was valued at \$44,000—all in Confederate currency. The Auditor's reports show that during Warden Moore's administration, which terminated June 5, 1866, he paid to the State \$80,000 in 1863, \$16,331 in 1864, and nothing in 1865 or 1866, and drew out of the treasury in 1864 \$40,000, in 1865 nothing, and in 1866 (lawful currency) \$13,446 82.

ANOTHER LEASE.

On the 6th of June, 1866, Governor Patton, "for and in consideration of the sum of five dollars in hand paid, leased the penitentiary and all the appurtenances thereunto belonging, and all the machinery, implements and tools of every description and kind in and about the penitentiary," to Smith & McMillan—provided the lessees might abandon the lease if the next Legislature failed or refused to authorize the employment of the convicts on railroads or in the coal fields—and loaned the lessees \$15,000 for six years, the term of the lease, at six per centum per annum. December 7th, 1866, the act was approved authorizing the employment of convicts upon private or public works anywhere in the State. Smith & McMillan's bond for repayment of the loan has recently been found here, uncanceled, and there is no reason to believe the debt has been paid. A. K. Shephard and Thomas Peters are sureties on the bond for the loan.

This is the first of the penitentiary leases of whose practical working there is any information; and the fragmentary papers in this case have but recently been discovered. Smith & McMillan were the lessees known to the State; but Thomas Peters, Sam. Tate and A. K. Shephard were in fact partners with them. During the term of the lease, the partnership appears to have been several times changed, McMillan parting with his interest, and other partners coming into the firm, viz., Campbell Wallace, W. B. Greenlaw, M. B. Pritchard, J. W. Sloss, and M. J. Wick. Machinery, implements, tools, etc, inventoried at \$19,668 27 were turned over to Smith & McMillan when they came into the lease, to be returned in kind. There is nothing said of the condition of the grounds and buildings when they took possession. It is

known how they left them. On the 13th of June, 1872, I. W. Suttle, W. H. Odiorne and James Thadeus, inspectors, officially reported the main building in very bad condition, the roofs leaking, the gutters gone, the shops and hospitals decaying, the floors rotting, the windows and doors broken, many of the window sash entirely gone, and "everything as badly torn up and scattered as it is possible to imagine." The inventory of property returned to the State amounted to \$9,602.57, and that barely fit for use. They turned over about 175 convicts. This was the last lease.

THE STATE RESUMES CONTROL.

On the 6th of June, 1872, M. G. Moore was appointed warden, and on the 8th of that month he entered upon his duties as such. The Senate refused to confirm this appointment, and on the 1st of March, 1873, Larkin G. Willis, who had been appointed and confirmed, took charge of the prison. Willis died and was followed, March 1, 1875, by John G. Bass, who remained in office until he was succeeded by John H. Bankhead on the 1st of March, 1881.

On the 22d of January, 1875, a joint legislative committee reported that they had visited the penitentiary and made such examination as was possible of the books and accounts of the warden, and found them very unsatisfactory. The expenditures during Moore's term had been \$11,302.61, and they found vouchers for but \$4,745.19. During the administration of Willis, the expenditures had been \$30,194.52, and they found vouchers for but \$7,858.47. The committee reported many specific abuses indicating utter incompetency or gross negligence, at least.

When established, the penitentiary was equipped with such machinery, tools, implements, etc., as were necessary for the employment of the convicts within the walls, and to this equipment additions were from time to time made as needed, and, when it was operated by the State, materials were bought and manufactured, and the products were sold. At the date of Smith and McMillan's lease, these engines, tools, machinery, etc., were valued at nearly \$20,000. In 1872, less than half of this was left. In March, 1881, all the personal property turned over to the present warden was appraised at about \$500.

INSPECTORS' REPORTS.

The earliest inspectors' report I have seen is in manuscript, covering the period between July 1, 1866 and July 1, 1868, the first two years of Smith and McMillan's lease, and is made by Thos. Williams, J. L. Pogue and C. M. Cabott, who declared the lease system a great success and commended the wisdom of its adoption. During this period, there were in prison 516 convicts, of whom 18 had been discharged, 87 had been pardoned, 24 had escaped, and 93 had died. Of the 294 in prison at the date of the report, 95 were whites and 199 were colored.

The next report, dated October 1, 1870, is also in manuscript. It covers the preceding year, and was from John H. McCutchen, John Weiss and Baker Kyle, inspectors, who said the prison in every respect was conducted by the lessees in a lawful and humane manner, and who were greatly pleased with the existing system "as conducive in every respect to the contentment and reformation of convicts." Aside from the tables, their report is in five lines. It appears that on the 1st of October, 1869, there had been in the penitentiary 263 convicts, and 97 had been received during the year, of whom 77 had been discharged by expiration of term of service, pardon and orders of the supreme court, 6 had escaped, and 92 had died, leaving 185 in prison. Of the deaths 22 were from pneumonia, 13 from chronic diarrhœa, 7 from disease of the heart, 5 from congestion of the brain, 4 from consumption, 4 from dysentery, and the others from various diseases. The number of convicts of each race is not given.

These are the only reports to be found embracing the term of Smith & McMillan's lease. They are simply a register of the convicts, with the briefest possible commendations of the beauty and beneficence of the lease system. The inspectors had no business matters to look after beyond the care and preservation of the property of the State, which, as has been seen, was as nearly destroyed between 1866 and 1872 as was possible without the assistance of fire. In 1872, the State resumed control of property and convicts. There appears to have been no report made during Warden Moore's administration from June 6th, 1872, to March 1st, 1873. Since that date printed reports of the warden and other officers have been preserved.

The inspectors' report for 1872-3 only goes back to March 1st, 1873, when Warden Willis entered upon his duties. It is made by Sam D. Oliver and Henry C. Bryan. On the 1st of March, 1873, there were 133 convicts in the penitentiary and 86 had been received, of whom 11 had escaped, 7 had been pardoned, 9 had been discharged, and 20 had died, leaving in prison 172. It appears from the physician's report that there had been 8 deaths in prison from October 1st, 1872, of whom "5 came from the railroad hopelessly diseased," and that there had been during the year 39 deaths among the convicts working on the road. There had been, therefore, 47 deaths in the year, 20 of which occurred after March 1st, 1873. Of the 219 convicts in the prison between March 1st and October 1st, 1873, 34 were white and 185 were colored. Warden Willis says, when he entered upon his duties "the most of the convicts were at work on the railroad under Rucker and his associates," and that he "had them all brought to the prison, owing, principally, to the fact that their condition was such that unless they were better cared for they would all soon die." At the date of this report, about 50 convicts were at the mines at Ironton, about 50 on the State farm, and the balance in the walls. The State farm had been bought in the early part of this year, and the warden refers to the "calamities" which had attended its cultivation.

The inspectors' report for the year ending October 1st, 1874, was made by Sam D. Oliver, G. L. Zimmerman and Henry C. Bryan, who had "visited and inspected the convicts under contract to public and private enterprises," and were "pleased to report their condition as excellent, being well fed and clothed, and as well contented as possible." "The present warden," they added, "does not tolerate any cruelty or abuse on the part of parties working convicts." On the 1st of October, 1873, there were in prison 172 convicts and 147 had been received, of whom 35 had been discharged, 8 had been pardoned, 25 had escaped and 13 had died, leaving in prison 238. Of the 238 in prison 31 were white and 207 colored. These were employed as follows: at New Castle coal mines 30, at the Red Mountain Iron Works 18, under contract to private individuals 62, on the State farm 69, and in prison 59. There is no reference to the prices paid for convict labor. The warden reported that he had collected during the year \$9,148.93, and that there was due the penitentiary from all sources \$19,628.06.

On the 30th September, 1875, Warden Bass, in his first report to the inspectors called their attention to "the dilapidation and demoralization of the institution when he took charge of it." "The buildings or shops containing all the valuable machinery and roofing on the south wall burnt down—nothing left from it except an unsightly pile of brick and worthless machinery; the remaining shops had but few tools and no material." He had drawn from the State Treasury \$2,000 and collected \$1,876.35, and had disbursed \$2,922.28. "All parties," said the warden, "contracting for the hire of convicts have erected good and substantial buildings for the safe keeping of the prisoners, and to all appearances comply with all requirements of their agreements." He had visited all the prisons or places of confinement and found the convicts "were well fed and clothed, with good sanitary regulations, and were as well satisfied as they could be under such circumstances." The inspectors made no report. On the 1st of October, 1874, there were in the prison 237 convicts and 276 had been received during the year, of whom 63 had been discharged, 19 had been pardoned, 40 had escaped and 23 had died, leaving in prison 368. Of the 513 convicts during the year, 74 were whites and 439 were colored.

Inspectors James M. Bradford, A. T. Goodwin and J. H. Judkins, reported October 9th, 1876, that the convicts employed without the walls were worked by the Newcastle Coal Company at Newcastle, the Eureka Company at Helena, the Alabama Iron Company in Talladega county, Jackson, Morris & Co. in Chilton county, Monroe Parker in Coosa county, Thomas Williams in Elmore county, Storrs & Parker in Elmore county, Fariss & McCurdy in Lowndes county, Gains Whitfield in Marengo county, B. S. Smith in Tallapoosa county, and C. T. Pollard in Montgomery county. They had visited most of the camps four times during the year and were "gratified to state that their complaints and suggestions with reference to the proper management and treatment of convicts had been heeded," and the "convicts everywhere were being properly cared for and guarded." There is no summary of the convicts received, died, pardoned or discharged, but there appears to have been 520 convicts in the prison at the close of the year.

Inspectors Messrs. Bradford, Goodwin, and Judkins, October 24th, 1877, reported the names of those working convicts without the walls, and the number worked by each. The number thus employed was 557. They had visited all

the camps quarterly, and some oftener. They had examined the convicts' food and the provisions kept for them, and had inspected their quarters, hospitals, and clothing, and privately had interrogated them closely, and confidentially asserted that they were "everywhere being well cared for and humanely treated." There were 45 deaths during the year. The average number worked at the mines was 120, of whom 15 had died; of 405 on the farms and at out door work (not including those in the mines or on the railroad) 18 had died, of whom 5 from sunstroke. There were in prison at the beginning of the year 520 convicts and 311 had been received during the year, of whom 80 had been discharged, 17 had been pardoned, 45 had died, and 34 had escaped, leaving in prison at the end of the year, 655 of the 831 convicts during the year, 81 were whites and 750 colored.

For 1878, Inspectors Bradford, Goodwyn and Judkins reported the buildings, lands and stock of the prison in excellent condition, and also reported continued improvement in the care and treatment of convicts under their vigilant inspection. The only lessee of convicts in addition to those previously reported was N. J. Stallworth of Monroe county. At the beginning of the year there were 655 convicts in the prison and 218 were received during the year, of whom 137 had been discharged, 30 had been pardoned, 11 had been delivered to sheriffs, 18 had died, and 23 had escaped, leaving 654 on hand. Of the 873 in the prison during the year 102 were whites and 771 were colored.

The inspectors for the two years ending October 1, 1880, were A. G. Simpson, A. T. Goodwin and J. H. Judkins. Their report, under the act of February 13th, 1879, gave the names of lessees and the names of the convicts hired to each. The convicts worked without the walls were hired at five dollars a month for full hands, and two and a half dollars for half hands, and nothing for dead-heads. This is the first report in which the price paid for convict labor is stated, but these had been the prices paid for a number of years. The inspectors said: "Contractors have been required to provide, and have provided, strong prisons for the safe keeping and comfort of convicts. These prisons have generally been neatly kept, and we have required much attention to be given to the sanitary regulations of them. * * * We have in every instance diligently enquired into the treatment of the prisoners, and we now state that during this

period the convicts have generally been well clothed and fed and humanely treated, and that corporeal punishment has only been inflicted in extreme cases." This is the first instance in which reference is made to this punishment. "All the buildings and the walls of the prison have been thoroughly repaired," they said, "and with the same care now taken will not for a long time require an outlay of money for their preservation." At the beginning of the term there were in prison 654 convicts, and 275 were received during the term, of whom 274 had been discharged, 29 had been pardoned, 36 had escaped, and 60 had died, leaving in prison 540. Of the deaths 32 were at the coal mines and the Alabama Furnace, or had been returned sick from one of these places, 19 were on plantations, 4 were in the penitentiary, and 4 not stated.

THE REPORTS OF 1880-82.

The reports of the warden and inspectors for 1880-82 are herewith laid before you. At the beginning of this term there were in the penitentiary 540 convicts and 325 were received during the term, of which 240 were discharged, 26 escaped, 16 were pardoned, and 61 died, leaving 522 in prison October 1, 1882. There is not only a falling off in the number of convicts, but there is a remarkable deterioration in their labor capacity. On the 30th of September, 1880, of 540 convicts, 410 were rated as first-class hands. On the 30th September, 1882, of 522 convicts, only 112 were thus rated. The warden attributes this to three causes: first, old convicts are gradually wearing out; secondly, the courts are sentencing able-bodied convicts to hard labor for the counties, and sending the very old, and the very young, and the blind, and the imbecile to the penitentiary; thirdly, the inspectors, where there is doubt, rate convicts rather below than above what they can do. Of the full hands, 55 bring \$12 a month, and 57 \$10 a month. Of the 522 convicts, 67 are white and 455 are colored. The warden states that his predecessor, on retiring from office, March 1st, 1881, carried off the books and vouchers, thereby leaving him without any information or data by which to be governed; but the books were returned after about two months, and the vouchers at a later date. At the date of the report, 219 convicts were hired at the mines, and 265 on farms. About one-half of all the convicts have been worked on farms, and of these 10

had died. Of those otherwise used and in the walls, 51 have died.

It is perhaps all the better for the State and for the convicts, that there has been some friction in the penitentiary management for the past two years, which appears to have been the case. The inspectors do not seem to have agreed with the warden in everything, or to have thought exactly alike, and to have seen everything from exactly the same standpoint among themselves, though they have apparently heartily co-operated in efforts to ameliorate the condition of the convicts, of whose mistreatment we, for the first time, have official information. Upon entering on his duties March 1st, 1881, the warden visited the different convict camps, or prisons, and found them totally unfit for use, without ventilation, without adequate water supplies, crowded to excess, filthy beyond description, and infested with vermin. The convicts were poorly clothed and fed; they were excessively and sometimes cruelly punished; there were no hospitals; the sick were neglected; and they were so much intimidated that it was next to impossible to get from them anything touching their treatment. The inspectors say: "About this time at Coketon many of the convicts were worked in the mines without shoes, and many of them were poorly fed. There was also much complaint among the convicts of the task system under which they were worked, and of the punishment they received, which, they insisted, resulted from the rigors of the task system." The task system is the working of a squad together under a requirement to get out a given quantity of coal under penalty of flogging for failure, "unless a good excuse is given;" but "the only excuse is an unavoidable hindrance." Under the operations of this system, the inspectors believe it has often happened that industrious convicts have been flogged because of the laziness of one or more of the squad. The same complaint of the task system was made at New Castle, where the "beds and blankets were filthy," where the vermin-infested prisons were not ample for the accommodation of the convicts, and where there was no hospital for the sick. At Coketon there was a hospital fairly equipped. The squad worked on the railroad were packed in small weather houses, the sick and the well together; their clothing was full of vermin; they seldom had vegetable diet, and the mortality was very great. "What has been said of the prisons at Coketon and New Castle as to uncleanness and vermin, can be said," say the inspectors,

"of nearly all the prisons, except that elsewhere these evils and abuses existed in a modified form." The condition of convicts has been greatly improved, but the inspectors think there is still occasion and much need of reformation. "At every prison now there is a hospital for the sick, moderately comfortable in its equipment," "the convicts are tolerably well clad and fed," "and the prisons are better kept."

BUSINESS MANAGEMENT OF THE PRISON.

Until the last few years, the penitentiary has been to the State an expensive necessity, though official assurance of its successful administration have abounded even in the most disastrous periods of its history. Governors, deluded by the glowing figures of lessees, wardens and inspectors, have again and again encouraged the belief that the balances would soon be in favor of the treasury. Legislative committees have returned from investigations satisfied that the good profits were soon to be realized. Wardens and inspectors have repeatedly shown net gains that would have been surprising in the best managed business undertaking. But at the treasury the balances were always against it. Under the first wardens, it has been seen that it was a constant and heavy burden. It was always drawing from the treasury and never paying into the treasury. Under the lease system, if the rentals were ever paid, of which there seems some doubt, they were not enough to keep the property in even tolerable repair, and there was the loss of interest on the investment in grounds, buildings and machinery. In 1863, there was a payment of \$80,000 into the treasury, in Confederate money; but during the remainder of the administration of the warden who made this payment, no other considerable payment was made, and large drafts upon the treasury in his behalf dispelled the hopes inspired by his promising beginning. Then followed a six years' lease, for which the State appears to have paid \$15,000, and during which the property was reduced to a wreck. Since the expiration of this lease, now ten years, it has been in the hands of wardens, from whom, from time to time, much has been expected, and who, from time to time, have promised much. The figures hereafter given, the debits being the amounts paid by the State on account of the penitentiary, and the credits the amounts paid by it to the State, tell the story of its relations to the treasury during this period:

Dr.

1872-73.	For pay of officers.....	\$ 3,366.85
1873-74.	For officers and supplies.....	21,760.58
1874-75.	For officers, supplies and debts.....	11,675.14
1875-76.	For officers and claims	9,673.57
1876-77.	For officers and claims.....	7,292.48
1877-78.	For officers and claims.....	7,624.57

\$61,393.46

Cr.

1872-73	By Cash.....	\$.....
1873-74	"	
1874-75	"	
1875-76	"	6,000.00
1876-77.	"	14,000.00
1877-78.	"	16,000.00
		<hr/> \$36,000.00

To balance \$25,393.46

I have always considered the cost of conveying convicts to the penitentiary a proper charge upon it, as it is incurred through and on account of it; and where such cost now accrues it is paid by the penitentiary. To the above balance against the penitentiary for six years, I would add, therefore, the amounts paid at the State treasury for this service during this period, which aggregate \$75,122.24; and it is entitled to credit for \$6,000 a year, for four years, for the labor of one hundred hands under contract for the State Farm. The total balance against the penitentiary for these eight years is \$76,515.70, as follows:

Dr.

1872-73.	For officers.....	\$ 3,366.85	
	For conveying convicts.	8,668.76	\$ 12,035.61
1873-74.	For officers and supplies..	21,760.85	
	For conveying convicts.	8,353.90	30,114.75
1874-75.	For officers, supplies and d'ts.	11,675.14	
	For conveying convicts.	15,761.16	27,436.30
1875-76.	For officers and claims	9,673.57	
	For conveying convicts.....	16,462.65	26,136.22

1876-77.	For officers and claims.....	7,292.48	
	For conveying convicts.....	13,107.25	20,399.73
		<hr/>	
1877-78.	For officers and claims.....	7,624.57	
	For conveying convicts.....	12,768.52	20,393.09
		<hr/>	
Total.....			\$136,515.70

Cr.

1872-73.	By cash.....	\$	\$
1873-74.	By cash.....		
1874-75.	By cash.....		
	By State Farm.....	6,000.00	6,000.00
		<hr/>	
1875-76.	By cash.....	6,000.00	
	By State Farm.....	6,000.00	12,000.00
		<hr/>	
1876-77.	By cash.....	14,000.00	
	By State Farm.....	6,000.00	20,000.00
		<hr/>	
1877-78.	By cash.....	16,000.00	
	By State Farm.....	6,000.00	22,000.00
		<hr/>	
Total.....		\$	60,000.00
		<hr/>	
Total debits.....		\$	136,515.70
Total credits.....			60,000.00
		<hr/>	
To balance.....		\$	76,515.70

In this time, however, in 1877 and 1878, work estimated at over \$12,000 was done under contract on the Wetumpka branch of the South & North Railroad, in consideration of which the officers of the penitentiary, State officers on official business connected with the penitentiary, sheriffs and guards *en route* to the penitentiary with convicts, and materials for supplies to it, are to be free of freight or passenger charges over the Branch Road (between six and seven miles long) for twenty years—now worth perhaps \$50 a year.

When I entered upon my duties here, there were 654 convicts in the penitentiary, the greater number of them able-bodied hands. I thought then, as I think now, that if the hard labor system is to be continued, the labor of the convicts ought to bring an amount sufficient to cover the current

expenses of the prison and cost incident thereto. I submitted this view to one of the inspectors, and requested him to bring it to the attention of the other inspectors and the warden, with the request that they take it into consideration and make such suggestions as to them might appear best and most practicable. At that time there were no convicts in the penitentiary not under contracts having from eighteen months to four years to run, at five dollars a month for full hands; and these contracts could only be determined by the consent of the contractors and the warden. The old, and sick, and infirm, and crippled, unable to make half hands at half price, were supported in the penitentiary; and the State was paying from \$10,000 to \$16,000 a year for carrying convicts from the jails to the penitentiary. I had frequent conferences with Mr. Judkins, an inspector appointed by my predecessor, from the fall of 1878 to the spring of 1879, with the hope of securing the advice of the inspectors, as a board, as well as that of the warden, in the premises. In February or March it was suggested by him that no harm could come to the State from an advertisement for the lease of the penitentiary for six years, as the right to reject all bids could be reserved. Such an advertisement was published, the lessee, in the event of a lease, to take subject to all contracts, which were to be carried out according to their terms; and bids, under the advertisement were received. About the time the bids were opened, the warden informed me of a proposition from a portion of the then contractors to cancel existing contracts and make new ones, increasing the price from \$5 a month to \$6 a month. I told him if the contractors would also agree to take all the convicts and agree to receive them at the jails where they were confined, so as to free the State from the support of what are known as dead-heads, as well as of all expense after conviction, that I would reject all bids for the lease and would approve contracts in accordance with such agreement. This was agreed to; and an engagement in writing to this effect, signed by the warden and a number of old contractors, was presented to me, upon which I endorsed, in substance, that I would approve contracts in accordance with the terms of such agreement, and rejected the bids for the lease, as the State would realize more from the proposed new contracts than from the highest bid for the lease, which was made by Messrs. DeBardeleben and Jackson, in the name of George Morris. No contracts were ever made by the warden under this agreement; but the able-bodied convicts

were hired out and the dead-heads retained by the warden and supported by the State, as is the practice of the present warden.

The proposition to lease the penitentiary attracted attention and provoked discussion which developed the value of convict labor, and led to a competitive demand which has resulted in new contracts as the old contracts expired at more than double the price previously paid, in addition to which contractors now take the convicts at the jails, and the State is relieved of the cost of transporting them to the prison. Under these better contracts, notwithstanding a decrease of more than one-third in the number of convicts and even a greater decrease in their working capacity, the penitentiary has for the first time in its history become profitable to the State, as the following figures show. The debits include the pay of officers, the cost of transporting convicts to the penitentiary, when such is incurred, and all other expenses an account of the penitentiary embraced in the last foregoing table :

Dr.

1878-79—For everything.....	\$ 12,464.04
1879-80—For everything.....	7,790.40
1880-81—For everything.....	7,249.93
1881-82—For everything.....	6,981.48
	<hr/>
	\$34,485.85

Cr.

1878-79—By cash.....	\$18,000.00
1879-80—By cash.....	27,000.00
1880-81—By cash.....	20,029.18
1881-82—By cash.....	30,000.00—\$95,029.18

By balance\$60,243.33

This is the cash balance, representing money paid into the treasury, and to this should be added, as in the preceding statement, \$24,000 paid in labor on the State farm, making the total net balance in favor of the penitentiary for four years \$84,543.33, as follows :

Dr.

1878-79—For everything.....	\$12,464.04
1879-80—For everything.....	7,790.40
1880-81—For everything.....	7,249.93
1881-82—For everything.....	6,981.48—\$ 34,485.85

Cr.

1878-79—By cash.....	\$18,000.00	
By State farm.....	6,000.00	\$24,000.00
1879-80—By cash.....	\$27,000.00	
By State farm.....	6,000.00	33,000.00
1880-81—By cash.....	\$20,021.18	
By State farm.....	6,000.00	26,029.18
1881-82—By cash.....	\$30,000.00	
By State farm.....	6,000.00	36,000.00
		<u>\$119,029.18</u>
Total debits.....		\$ 34,485.85
Total credits.....		<u>119,029.18</u>
By balance		\$ 84,543.33

SUGGESTIONS AND RECOMMENDATIONS.

I have as briefly as possible reviewed the history of the penitentiary in its relations to the special purposes for which it was established and to the treasury, and I regret that I cannot aid your deliberations by fuller information, which, perhaps more fortunate in your researches than I have been in mine, you may obtain from sources to which I had not access. The prison has been operated by the State under wardens of its own selection, until recently at heavy cost. Its management has again and again been transferred to lessees, with some mitigation of the drain on the treasury, at the expense of a valuable property, which, at the termination of the last lease, was a wreck and ruin. The convicts have been worked within the walls and supported at the public expense; and they have been worked without the walls at a loss. Through all the changes, the convicts appear generally to have been treated with inhumanity. From the beginning it has been an utter failure as a reformatory institution; and contrary to the intention of its founders, it has been made a means of punishment more terrible than that it was intended to modify. The experience of the past four years proves that it can be sustained on a pecuniarily profitable basis.

The experience of the past two years shows that the cruelties and abuses which have made the condition of the convict intolerable are as unnecessary as they have been shameful and brutal. A determined effort on the part of the inspectors and the warden has cleansed the prisons, supplied them with water, provided hospitals, bettered the clothing, secured medical attention to the sick, and improved the quality and increased the quantity of food. A more determined effort will in all these respects bring the standard up to that prescribed by the laws, which each officer of the penitentiary swears to enforce and execute. The statutes particularly prescribe the sanitary regulations of prisons, the clothing, diet, meals and medical attention of convicts, the punishments to which they may be subjected, and the privileges to which they are entitled. These prescriptions are embodied in the agreements of contractors for convict labor, and may be enforced in the courts. There can be few abuses if the officers of the State do their whole duty fearlessly and faithfully. If contractors are deaf to the pleadings of humanity, and blind enough to their own interests to expect full work from half-naked and half-starved men, they should be compelled to obey the law. Through many years, in which, as has been seen, the care and treatment of convicts was uniformly officially reported as all that could be desired or required, grew into full stature the abuses now described by the warden and inspectors as existing two years ago, and which have been but partially corrected yet. It is not the work of a day, or of a year, to accomplish complete reform under such conditions; but what has lately been done shows what may be done. The business management of the penitentiary can hardly be considered otherwise than satisfactory now; but stringent measures should compel speedy and sweeping changes in the treatment of convicts, and hold to a strict and stern responsibility those through whose act or negligence such wrongs occur as those now brought to our attention.

If, however, the penitentiary system is not to be abandoned, there must be material changes in our criminal legislation. The penitentiary is fast becoming a hospital, and not a prison. It is filling up with the old and the sick and the maimed and the blind, who cannot be made self-supporting; and the administration of justice through which this is being done, is not in the interest of humanity. The punishment substituted for the penitentiary is attended with all the ag-

gravations which have aroused a feeling of resentment towards our penitentiary system, and with almost none of its mitigations under inspections and supervision.

The two houses will determine what shall be done with the penitentiary, what shall be its management, under what system it shall be administered, and what changes shall be made in the laws affecting it incidentally. If the present system is to be maintained, many sections of the Code relating to its organization and discipline should be re-written, for they are based upon the assumption that the convicts are within the walls. If the convicts are to be hired without the walls, as they now are, the legislature may well declare how they are to be hired and in what employments they shall be used, and ought to provide a summary method of determining contracts for violation by the contractors of their undertakings in the treatment of convicts. The Governor, held to a large accountability for errors or evils of penitentiary administration, but now with little power but to approve or reject contracts, ought to be authorized for good and sufficient cause to suspend the warden from the discharge of his duties until the next ensuing session of the legislature, and to remove for cause the inspectors, under a requirement to report his reason therefor in writing to the General Assembly. A more efficient system of inspection is indispensable; and if the county hard labor system is to be continued, the duties of the State prison inspectors should be extended to embrace county convicts.

With such modifications as are entirely practicable, I think under the present system of management and administration the penitentiary may yet be made to accomplish even more than the ends contemplated by its founders.

THE WARDEN'S PLAN.

The warden proposes to abandon the property at Wetsumpka, to mass all the convicts at a single place and provide new accommodations there for them, and to so hire them out that they will all be worked under his immediate supervision. To this modification of the present system there are serious objections. It contemplates the abandonment of a valuable property, which is not adapted to any other public use, and which could not be sold at a price to make its sale a matter of consideration. It contemplates the erection of new and costly buildings elsewhere. It practi-

cally provides for the exclusion of all competition for the hire of convict labor under conditions which render it improbable that anything like a fair value of the labor would be offered for it; for it is not to be expected that any one would pay the full value of labor where the laborer is under the immediate supervision of a presumably hostile interest. A single interest could use the labor, and, the plan once adopted, it could dictate the terms of hire. The suggestion, that, under this plan, convicts, working under the eye of the warden, would be better treated than at present, is not conclusive. It would depend largely upon the warden. The law now throws around the convict its protection, regulating his hours of labor, his food, his clothing, his general treatment when well, his care when sick, and his punishments, and the requirements of the law are embodied in contracts which it is the warden's duty to enforce. A warden who would neglect this duty, would not probably be more diligent or faithful if given a more direct control under circumstances surrounding him with temptations. There is no instance on record, so far as I am informed, where a warden has taken steps to rescind a contract for a violation of its stipulations for the protection of convicts, though there is abundant evidence of utter disregard of the stipulations by contractors. If, in course of time, a weak or a corrupt man should become warden, it is easy to see how the interests of the State might be more entirely subordinated to the interests of a single powerful contractor or body of contractors than is possible while numerous contractors representing diverse interests keep watch over each other and over a common adversary. A contractor, who, without the personal supervision of the warden, would violate the conditions of his agreement to the injury of the State, or outrage humanity at the expense of the prisoner, would not hesitate to use a warden who might weakly or wickedly submit himself to his wishes. As a plan of the magnitude of that proposed by the warden could not be soon abandoned after once being adopted, a possibility of this sort, no matter how remote it seems, is not to be overlooked. Other objections to the warden's plan are forcibly suggested by the inspectors in their reports.

THE PENITENTIARY FARM.

On the 29th of March, 1873, Governor Lewis approved an act to authorize the warden of the penitentiary, with the ap-

proval of the inspectors, and with the consent and approval of the Governor, "to purchase for, and in the name of the State of Alabama, a suitable tract or parcel of land, containing not more than two thousand acres," "to be first-class farming land, and in a healthful locality," at a price not to exceed \$50,000. To pay for this, the Governor was authorized to issue eight per centum bonds payable in ten years. The faith and credit of the State was pledged "that the net profits arising from the cultivation of said plantation or farm shall be used for the payment of principal and interest" of the bonds thus authorized. The eighth section of the act declared, "that in no event shall the State of Alabama become, or made, or held liable for the payment of any bonds issued under the provisions of this act, beyond the value of the issues and profits derived from said lands, after deducting the expenses in conducting and operating said farm." Very soon after the approval of this act, in time to attempt to make a crop that year, what is now known as the penitentiary farm was bought from Thomas Williams for fifty thousand dollars, and bonds to that amount were issued in payment. The farm is situated on the Tallapoosa river, in Elmore county, and contains about 2,000 acres. The State operated this place about two years, with the result which has invariably attended its attempts to conduct and manage business enterprises. There were worms to destroy cotton in cultivation, and floods and overflows and droughts, and net profits were not realized. On the 10th of March, 1875, an act was passed authorizing the Governor to change the contract with Mr. Williams, and it was so changed that the bonds were returned and cancelled, and in place of them, as payment for the farm, the services of one hundred convicts for eight years were given, at the expiration of which period the farm is to be delivered into the possession of the State. This contract will terminate on the 1st of January next, and it will soon be necessary to determine what use or disposition shall be made of the property thus acquired.

R. W. COBB, Governor.

On motion of Mr. Farnham, the foregoing message from the Governor, was laid on the table and 250 copies ordered printed for the use of the Senate.

ADJOURNMENT.

At 1:30 o'clock p. m., on motion of Mr. Rushing, the Senate adjourned.

THIRTEENTH DAY.

TUESDAY, November 28, 1882.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Howard, of this city.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—33.

The journal of yesterday was read and approved.

ENROLLED BILLS.

Mr. Orr, from committee on enrolled bills, reported the following bill correctly enrolled :

s. 34. To amend section 4 of an act to incorporate the city of Tuscaloosa, approved March 12, 1873.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after its title had been publicly read, signed the bill, the title of which is set forth in the foregoing report of enrolling committee.

APPOINTMENTS.

The president announced that he had appointed Mr. Gardner as one of the joint committee on immigration, on part of the Senate, in the place of Mr. Brewer, who had been excused from said committee.

CALL OF DISTRICTS.

Bills were introduced :

By Mr. Thomas—

s. 118. To provide for the payment of costs of justices of

the peace, notaries public, constables and witnesses, in cases wherein the State fails to convict, in the county of Barbour, in courts of justices of the peace and notaries public.

By Mr. Brooks of Mobile—

s. 119. To amend sections 1385, 1388, 1393, 1395, 1396 and 1399 of the Code.

Also,

s. 120. To amend sections 1376, 1380, 1381 and 1383 of the Code.

By Mr. Thomas—

s. 121. To provide for the payment of the costs in State cases of the clerk and sheriff of Barbour county, where the State fails to convict.

By Mr. Norman—

s. 122. To amend section 494 of the Code;

Were severally read the first time and ordered to a second reading.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

November 28, 1882.

Mr. President :

The House has originated and passed the following bills:

H. B. 16. To incorporate the Dallas compress company;

H. B. 133. For the relief of James B. Farmer, sheriff of Calhoun county;

H. B. 139. To repeal an act entitled an act to amend section 1544 of the Code, approved March 1st, 1881, relating to recommendation necessary to obtain license, so far as the counties of Cullman, Coosa and Marshall are concerned;

H. B. 131. To amend section 1545 of the Code;

H. B. 167. To amend section 1 of and act, approved December 8th, 1873, to prohibit the sale, or giving away of spirituous liquors within five miles of Sulphur Springs church, Cane Creek church, Oak Bowery church, Mount Zion church and Hebron church, in Calhoun county; and Blue Eye church, Refugee church, Patton's Chapel church, Bethel church, Forest Hill church, and the Colored People's church (near Forest Hill), in Talladega county, Alabama.

D. W. McIVER, Clerk.

HOUSE MESSAGE.

The House bills, the titles of which are set forth in the foregoing House message, were severally read the first time and ordered to a second reading.

BILLS ON SECOND READING.

The bill—

s. 112. To amend section 29 (34) of the Code;

Was read a second time and referred to a special committee, consisting of Messrs. McClellan, McSpadden and Moor-
man.

The bill—

s. 115. To authorize application to be made to the Congress of the United States to appropriate the sum of \$10,-388,072.10, the amount of tax on raw cotton collected in this State, as a public school fund for this State, and to provide for the investment of said fund;

Was read a second time and referred to the committee on federal relations.

The bill—

H. B. 41. To require applicants for license to teach in the public schools of Alabama, who hold diplomas, to pay the same fees for license as other applicants;

Was read a second time and referred to the committee on education.

The bills—

H. B. 151. For the relief of Elisha B. Lott and his securities, as tax collector of Mobile county;

H. B. 206. To amend an act entitled an act to provide for additional accommodations for the insane of Alabama, approved February 26th, 1881;

Were severally read a second time and referred to the committee on finance.

The bills—

s. 113. To amend an act to regulate and fix the time of holding the courts in the several counties composing the 7th judicial circuit, approved March 1, 1881;

s. 114. To authorize the mortgaging of crops planted or unplanted;

s. 116. To fix the tenure of office of railroad commissioners;

s. 117. To provide for the appointment of not exceeding two marshals for each precinct in the several counties of the State, who shall be bonded officers, and who shall have the same powers and be subject to the same laws governing the actions of constables and entitled to the same fees ;

H. B. 112. To amend subdivision 4 of section 757 of the Code of Alabama, to increase the jurisdiction of justices of the peace and notaries public, who are *ex-officio* justices of the peace, in actions brought to recover specific property ;

H. B. 164. To amend section 2945 of the Code ;

H. B. 203. To amend section 4409 of the Code ;

Were severally read a second time and referred to the committee on the judiciary.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., November 28, 1882.

Mr. President :

The Governor has approved the following bill, which originated in the Senate :

s. 34. An act to amend section four of an act to incorporate the city of Tuscaloosa, approved March 12th, 1873.

Respectfully,

W. G. HUTCHESON,
Recording Secretary.

REPORTS FROM STANDING COMMITTEES.

Mr. Titcomb, from the committee on local legislation, reported favorably, the bill—

H. B. 13. To repeal an act entitled an act to amend the road law of Dale county, approved February 9th, 1852, and to provide for the payment of the judge of probate and other officers for road service in said county of Dale ;

Which was read a third time and passed—yeas 32, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—32.

Also, favorably the bill—

H. B. 91. To amend an act for the preservation of game animals and birds in Perry county, approved February 26th, 1881;

Which was read a third time and passed—yeas 32, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—32.

Also, favorably the bill—

H. B. 86. To provide what shall be receivable in payment of county taxes in Mobile county;

Which was read a third time and passed—yeas 31, nays 1.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—31.

Mr. Billups voted no.

Also, favorably the bill—

s. 98. To repeal an act to fix the pay of the sheriff of Coffee county, approved March 1st, 1881;

Which was read a third time and passed—yeas 31, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—31.

Also, favorably the bill—

s. 79. To provide for the better working of the public roads in Jackson county;

Which was read a third time and passed—yeas 30, nays 1.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy—30.

Mr. Orr voted no.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

NOVEMBER 28, 1882.

Mr. President :

The House has adopted a joint resolution, providing for the appointment of a joint committee to investigate the convict system and to visit the penitentiary and convict camps.

Committee on part of the House—

Messrs. Samford, Wood, and Vines.

Also, has concurred in the Senate joint resolution relative to the rights and interests of persons residing near the line of districts in which stock is prohibited from running at large.

Committee on part of the House—

Messrs. Hawkins of Barbour, Grisham, Swan and Branch.

D. W. McIVER, Clerk.

HOUSE MESSAGE.

The House joint resolution set out in the foregoing House message was read, and, on motion of Mr. Hargrove, postponed and made a special order for Friday next, at 11 o'clock.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,

Montgomery, Ala., November 28, 1882.

Mr. President :

I am directed by His Excellency, the Governor, to communicate to the Senate a message in writing.

Respectfully,

W. G. HUTCHESON,

Recording Secretary.

EXECUTIVE SESSION.

On motion of Mr. Hargrove, the Senate went into executive session to consider the Governor's message just received.

The Senate doors having been opened, the Senate resumed the

REGULAR ORDER,

Which was the

ELECTION OF U. S. SENATOR.

This being the second Tuesday after the meeting and organization of this General Assembly, the day fixed by act of Congress for the election of a Senator in Congress, the Senate proceeded openly, by a *viva voce* vote of each member present, to name one person for Senator to represent the State of Alabama in the Congress of the United States, whose term of office will begin on the 4th of March, 1883.

The President announced that nominations were in order.

Mr. Hargrove placed in nomination the name of John T. Morgan of Dallas.

Those who voted for Mr. Morgan, are :

Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Smith, Street, Thomas, Titcomb, Troy, Ware—29.

Messrs. Jackson and Shelby voted for Paul L. Jones.

The President of the Senate then announced that John T. Morgan had received a majority of the whole number of votes cast in the Senate for a Senator to represent the State of Alabama in the Congress of the United States, for the term beginning March 4th, 1883.

At the hour of 12 o'clock, M., the Senate proceeded to consider

THE SPECIAL ORDERS.

First.

The bill—

s. 11. To amend section 435 of the Code ;

Was taken up, and the pending amendment, offered by Mr. Troy, adopted, as follows :

“ This section, as amended by this act, shall apply only to the counties of Montgomery, Pickens, Sumter, Hale, Dallas, Barbour, Marengo, Jefferson, and Perry ; and said section, as it now stands in the Code, shall remain in full force in all other counties of this State.”

The bill was read a third time and passed—yeas 28, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden Norman, Orr, Pate, Rushing, Seay, Smith, Street, Thomas, Titcomb, Troy, Ware—28.

The caption was amended, as follows :

s. 11. To amend section 435 of the Code as to the counties of Montgomery, Pickens, Sumter, Hale, Dallas, Barbour, Marengo, Jefferson and Perry.

The second

SPECIAL ORDER,

Being the bill—

s. 57. To repeal section four of an act to amend section 4109 of the Code, and to provide for its enforcement, approved February 19th, 1881, so far as the same relates to the counties of Lawrence and Colbert ;

Was, on motion of Mr. Orr, together with—

s. 100. The petition of citizens of Colbert county, &c., on that subject, recommitted to the committee on local legislation.

ADJOURNMENT.

At 1.15 P. M., on motion of Mr. Smith, the Senate adjourned.

FOURTEENTH DAY.

WEDNESDAY, November 29, 1882.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Howard, of the city.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy, Ware—29.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Indefinite leave of absence was granted Mr. Luckie.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 29, 1882.

Mr. President :

The Speaker of the House having signed the following bills, your signature to the same is requested, viz :

H. B. 18. To amend an act to incorporate the Florence Synodical Female College.

H. B. 108. To legalize and make valid the municipal election to be held in the city of Birmingham on the first Tuesday of December, 1882, and the registration of voters therefor now being made in said city, as the same has been ordered and directed to be made by the mayor and aldermen of said city, and to prescribe the residence of electors in said city at said election.

H. B. 42. To repeal an act entitled an act to require apportioners and overseers of roads in the counties of Fayette, Lamar, Marion and Cherokee to do road service after the expiration of their term of service as such apportioners and overseers, so far as said act relates to Fayette, Lamar, Marion, St. Clair and Cherokee counties, approved February 13, 1879 ;

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set forth in the foregoing message from the House.

CALL OF THE DISTRICTS.

Bills were introduced :

By Mr. Hargrove—

s. 123. To prevent cruelty to domestic animals ;

Also,

s. 124. To amend an act to revive and complete the geological and agricultural survey of Alabama.

By Mr. Brewer—

s. 125. To sell a certain plantation belonging to the State, called the State convict farm, purchased of Thomas Williams.

By Mr. Jones—

s. 126. To compensate sheriffs for feeding prisoners confined in jail for a contempt of court.

By Mr. Harrison, by request (Mr. Norman presiding)—

s. 127. To amend an act to incorporate the Chewacla Lime Company, approved December 9, 1862, and to change the name thereof from Chewacla Lime Company to Chewacla Lime Works.

By Mr. Gardner—

s. 128. To prevent stock from districts in which stock is not allowed to run at large from running at large outside of said districts ;

Also,

s. 129. To prevent sales and giving credit to students at colleges, schools and academies without the consent of their parents or guardians ;

Also (by request, with notice),

s. 130. For the relief of Benjamin H. Craig, of Dallas county.

By Mr. Seay—

s. 132. To better secure payments of fines and costs in criminal cases in the courts of this State.

By Mr. Street—

s. 133. To incorporate the Gesner Mining and Smelting Company.

By Mr. Farnham—

s. 134. To protect vendors of lands.

By Mr. Jackson—

s. 135. To amend section 5047 of the Code.

Which were severally read the first time and ordered to a second reading.

JOINT RESOLUTIONS.

Mr. Brooks of Mobile, offered a joint resolution—

s. 131. Requesting and instructing the Senators of Alabama in Congress of the United States to vote for a bill with regard to coal lands.

On motion of Mr. Troy, the words "and instructing" were stricken out.

On motion of Mr. Bowles, the word "coal" was stricken out, and "mineral" inserted in lieu thereof.

Mr. Jackson moved to postpone the resolution till Friday.

Lost.

The joint resolution was adopted and ordered forthwith to the House.

Mr. Mitchell offered a joint resolution—

s. 136. Relating to the proceeds of the public lands lying within the State of Alabama, located with military land warrants ;

Which was read and referred to the committee on federal relations.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 29, 1882.

Mr. President :

The House has originated and passed the following bills:

H. B. 184. To amend an act entitled "An act to require banks, bankers, insurance companies, and others engaged in the business of lending money, to give receipts for collaterals," approved February 12, 1879.

H. B. 153. To prevent the taking and catching of oysters within the waters of this State by persons who are not residents of the State, and to provide penalties for violations of this act, and proceedings to enforce the same.

H. B. 1. To prevent the sale or exchange of cotton in the seed in Barbour county, and sale or exchange of said cotton produced in said county.

H. B. 95. To repeal an act for the preservation of game animals and birds in the counties of Mobile, Choctaw, Monroe, Clarke, Washington, Baldwin, Marengo, Lowndes, Sumter, Escambia, Hale, Dallas, Montgomery and Greene, approved February 2, 1877, so far as the same applies to that part of Sumter county lying south of the township line dividing townships eighteen (18) and nineteen (19).

H. B. 7. To authorize the probate judge of Chambers county to order an election in said county to prevent the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, or intoxicating bitters, within the limits of said county.

D. W. McIVER, Clerk.

HOUSE MESSAGE.

The House bills, the titles of which are set forth in the foregoing House message, were severally read the first time and ordered to a second reading.

BILLS ON SECOND READING.

The bills—

s. 118. To provide for the payment of costs of justices of the peace, notaries public, constables and witnesses in cases wherein the State fails to convict in the county of Barbour, in courts of justices of the peace and notaries public;

s. 121. To provide for the payment of the costs in State cases of the clerk and sheriff of Barbour county, when the State fails to convict;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

s. 119. To amend sections 1385, 1388, 1393, 1395, 1396 and 1399 of the Code;

s. 120. To amend sections 1376, 1380, 1381 and 1383 of the Code;

Were severally read a second time and referred to the committee on local legislation.

The bill—

s. 122. To amend section 494 of the Code;

Was read a second time and referred to a special committee, consisting of Messrs. Norman, Brewer and Brooks of Mobile.

The bills—

H. B. 16. To incorporate the Dallas Compress Company;

H. B. 133. For the relief of James B. Farmer, sheriff of Calhoun county;

Were severally read a second time and referred to the committee on local legislation.

The bills—

H. B. 131. To amend section 1545 of the Code;

H. B. 139. To repeal an act entitled an act to amend section 1544 of the Code, approved March 1, 1881, relating to recommendation necessary to obtain license, so far as the counties of Cullman, Coosa and Marshall are concerned;

H. B. 167. To amend section 1 of an act, approved December 8, 1873, to prohibit the sale or giving away of

spirituous liquors within five miles of Sulphur Spring church, Cane Creek church, Oak Bowery church, Mount Zion church and Hebron church, in Calhoun county, and Blue Eye church, Refuge church, Patton's Chapel church, Bethel church, Forest Hill church and the colored people's church, near Forest Hill, in Talladega county, Alabama;

Were severally read a second time and referred to the committee on temperance.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
Montgomery, Ala., November 29, 1882.

To the Senate and House of Representatives :

I herewith submit the report of the Trustees of the University of Alabama, and respectfully call your attention to the wants and necessities of that institution, as shown by their report.

A personal knowledge obtained through my official connection with the University, enables me to say that the facts stated in the report are not overdrawn nor colored, and its necessities are not more strongly stated than actually exist.

Its present want of room for the accommodation of the students as well as the faculty, seriously impedes its usefulness, and prevents it from accomplishing much that otherwise could be easily attained. Whatever can be safely done by the State in removing these difficulties in the way of its usefulness, and tend to make it what the University of Alabama ought to be, should be and doubtless will be done by the present General Assembly.

R. W. COBB, Governor.

On motion of Mr. Farnham, the Governor's message, with accompanying documents, were laid on the table, and one thousand copies thereof ordered to be printed for the use of the Senate.

PRIVILEGED MOTION.

Mr. Smith arose to a question of privilege, and moved to reconsider the vote, postponing till Friday, the joint resolution to appoint a joint committee to investigate the convict system of the State.

The motion to reconsider prevailed.

Mr. Seay moved to amend the joint resolution by striking out all words after the words "criminal administration," and insert the words, "and that said committee, when raised, be instructed to report at the earliest practicable moment by bill or otherwise."

Mr. Grant moved to lay on the table the joint resolution and amendment.

Lost—yeas 3, nays 28.

Yeas—Messrs. Brewer, Gardner, Grant—3.

Nays—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—28.

Mr. Grant moved to amend the amendment by instructing the committee to report within five days.

Lost.

Mr. Gardner moved to amend the amendment by instructing the committee to report by Monday next.

Carried.

The amendment as amended was adopted, and the joint resolution was concurred in.

The President appointed as the committee on part of the Senate, under said resolution—

Messrs. Jones and Davidson.

JOINT RESOLUTION.

By leave, Mr. Brooks of Macon, offered a joint resolution inviting Dr. J. L. M. Curry, general agent of the Peabody fund, to address the General Assembly on "Public Education" Friday, December 1st, at 4 o'clock p. m.

The two joint resolutions just considered, were ordered to the House forthwith.

JOINT CONVENTION TO ELECT U. S. SENATOR.

The hour having arrived, when, in pursuance of law, the Senate should convene with the House in joint convention, in the hall of the House of Representatives, for the purpose of ascertaining the result of the balloting on yesterday for a Senator to represent Alabama in the Congress of the United

States; and in case no election had been made, to proceed with such election.

The Senate met with the House in the hall of the House of Representatives.

The joint convention was called to order by the President of the Senate, who directed the secretary to call the roll of the Senators.

The following Senators answered to their names, being a majority of the Senate of Alabama, viz:

Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—29.

The Speaker of the House directed the Clerk of the House to call the House roll.

The following Representatives answered to their names, being a majority of the House of Representatives of the State of Alabama, viz:

Messrs. Speaker, Aderholt, Alexander, Anderson, Armstrong, Adkinson, Avent, Avery, Baker, Beck of Covington, Beck of Wilcox, Berry, Bibb, Burnett, Branch, Brewer, Browne of Talladega, Brown of Tuscaloosa, Broyles, Carmichael, Cochran, Cowart, Clark, Clayton, Crawford, Dowling, Dunkling, Edwards, Ferrell, Fuller, Garrett, Gere, Goree, Glover, Graham, Grant, Griffin, Grisham, Haden, Hall, Hammond, Hawkins of Barbour, Hawkins of Jefferson, Hawkins of Shelby, Harris, Hogue, Hunt, Ingle, John, Jones, Kendrick, Kimbrough, Langdon, Moren, Moragne, Muldon, McAdory, McIntyre, McCall, McMillan, Nevill, Nesmith, Orme, Porter, Powell, Purifoy, Raisler, Reynolds of Henry, Reynolds of Talladega, Robinson, Russell, Samford, Scarborough, Shackelford, Shealy, Simpson, Smith of Dallas, Smith of Autauga, Swan, Sanford, Tingle, Thagard, Underwood of Colbert, Vines, Walker, Watlington, Williams, Willett, Wood, Wharton, Whitt, Young of Marion, Young of Pickens—93.

The Secretary of the Senate then proceeded to read the journal of the Senate of yesterday, from which it appeared that John T. Morgan, of Dallas, received twenty-nine votes, and Paul L. Jones, of Madison, received ten votes.

The Clerk of the House then read the journal of the House, of yesterday, from which it appeared that John T. Morgan,

of Dallas, received eighty-four votes and Paul L. Jones, of Madison, received ten votes.

The President of the Senate then announced that John T. Morgan having received a majority of all the votes cast in each house for Senator, to represent Alabama in the Congress of the United States, he declared him to be duly and constitutionally elected a Senator from Alabama to the Congress of the United States, for the term prescribed by law.

The President of the Senate then announced that the purpose of the joint convention of the two houses having been effected, the joint convention was dissolved.

The Senate then returned to its chamber.

The Senate having returned to its Chamber, the regular order was resumed, which was

REPORTS FROM STANDING COMMITTEES.

Mr. Hargrove, from the judiciary committee, reported favorably the bill—

s. 63. To authorize the purchasers of the road bed of any turnpike, macadamized, planked, shelled or other improved road, previously belonging to and used as a toll road by any corporation created under the general laws of Alabama for that purpose, to constitute themselves into a body politic and corporate;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Griffin, Jones, Mitchell, Moorman, McSpadden, Norman, Orr, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—23.

Also, favorably, with an amendment to the bill—

s. 85. To regulate the terms of the courts in the first judicial circuit of Alabama.

The amendment was adopted, as follows:

“Amend by striking out sections two and three, of the bill, and number section four as section two.”

The bill was read a third time and passed—yeas 26, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy—26.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
Montgomery, Alabama, November 29, 1882.

To the Senate and House of Representatives :

I herewith communicate to you the reports of the re-prieves, commutations, and pardons granted, with the reasons therefor, during the last two biennial periods, the report for 1878-1880, not having been printed.

R. W. COBB, Governor.

On motion of Mr. Farnham, the Governor's message and accompanying document were tabled, and five hundred copies of the message and accompanying document ordered printed for the use of the Senate.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
November 29, 1882.

Mr. President :

The House has originated and passed the bill—

H. B. 85. To provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee and Pickens, arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies.

And has ordered the bill to the Senate forthwith, without engrossment.

Also, has concurred in the Senate joint resolution—

Relative to the invitation to Dr. J. L. M. Curry to address the General Assembly, on Friday afternoon, at 4 o'clock.

Also has adopted a joint resolution—

Relative to the inauguration of the Governor.

D. W. McIVER, Clerk.

HOUSE MESSAGE.

The House bill, the title of which is set forth in the foregoing House message,

Was read the first time, and ordered to a second reading.
 The House joint resolution—
 Relative to the inauguration ;
 Was concurred in.
 The Senate resumed consideration of—

REPORTS FROM STANDING COMMITTEES.

Mr. Hargrove, from the judiciary committee, reported
 a substitute for the bill—

s. 64. To amend section 2944 of the Code ;

The substitute was adopted,

And the bill was read a third time and passed—yeas 24,
 nays 1.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks
 of Macon, Brooks of Mobile, Brown, Farnham, Gardner,
 Griffin, Hargrove, Jackson, Jones, McClellan, Moorman,
 McSpadden, Norman, Orr, Rushing, Seay, Shelby, Smith,
 Street, Titcomb—24.

Mr. Mitchell voted nay.

Also, returned the bill—

s. 15. To prescribe the manner in which claims against
 the fine and forfeiture fund of Lawrence county shall be
 paid ;

Which was referred to the committee on local legislation.

Mr. Seay, from same committee, reported favorably the
 bill—

H. B. 62. To permit defendants to make statements in
 their own behalf in all trials of indictments, complaints, or
 other criminal proceedings.

Mr. McClellan moved to postpone the bill till Friday.

Lost.

Mr. Hargrove moved to amend by inserting after the word
 "proceedings," in the sixth line, the words, "in cases of as-
 sault, assault and battery, lynching, assault with intent to
 murder, manslaughter, rape, trespass and malicious injury to
 animals."

On motion of Mr. Farnham the amendment was tabled—
 yeas 20, nays 9.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Ma-
 con, Brooks of Mobile, Brown, Farnham, Griffin, Jackson,
 Jones, Mitchell, Norman, Oden, Pate, Seay, Shelby, Smith,
 Street, Titcomb, Ware—20.

Nays—Messrs. Billups, Gardner, Hargrove, McClellan, Moorman, McSpadden, Orr, Rushing, Troy—9.

The bill was read a third time and passed—yeas 21, nays 8.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Griffin, Jackson, Jones, Mitchell, Norman, Oden, Orr, Pate, Seay, Shelby, Smith, Street, Titcomb, Ware—21.

Nays—Messrs. Billups, Gardner, Hargrove, McClellan, Moorman, McSpadden, Rushing, Troy—8.

Mr. Brooks, from finance committee, reported a substitute for the bill—

s. 54. To amend section 5027 of the Code.

The substitute was adopted, with caption as follows :

s. 54. To amend the last paragraph of section 5027 of the Code.

The bill was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Street, Titcomb, Troy, Ware—24.

Also, from same committee, reported a substitute for the bill—

s. 68. To amend section 2 of an act to regulate the compensation of sheriffs for the removal of prisoners, approved March 1, 1881.

The substitute was adopted.

And the bill was read a third time and passed—yeas 26, nays 2.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—26.

Nays—Messrs. Farnham and Pate—2.

Mr. Brooks of Mobile, from same committee, returned the bills—

s. 24. To amend section 1111 of the Code ;

s. 23. To amend section 411 of the Code ;

s. 22. To amend section 361 of the Code ;

s. 65. To amend subdivision 8 of section 494 of the Code ;

Which were recommitted to the joint committee on the revenue system.

At 1:50 p. m., on motion of Mr. McClellan, the Senate adjourned till Friday morning at 10:30.

FIFTEENTH DAY.

FRIDAY, December 1, 1882.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Howard, of this city.

Present—Messrs. President, Bowles, Brown, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Ware—22.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Indefinite leave of absence was granted Messrs. Brooks of Mobile, and Davidson, and also to Messrs. Seay, Billups and Brewer, on account of sickness, and to Mr. Farnham till Monday.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Brown (with petition)—

s. 137. To prohibit the sale, giving away or otherwise disposing of any spirituous, vinous or malt liquors or intoxicating beverages, or the manufacture thereof, of any kind, in the county of Jackson.

By Mr. Titcomb—

s. 138. To define some of the duties of the State Board of Health;

Also,

s. 139. To regulate the practice of quarantine in Alabama.

By Mr. Brown—

s. 140. To establish and incorporate the Scott Academy, at Scottsboro, in Jackson county, Alabama.

By Mr. Luckie—

s. 141. To amend section 1811 of the Code;

Also,

s. 142. To repeal section 2 of an act "to amend section 4109 of the Code, and to provide for its enforcement," approved February 19, 1881.

By Mr. Oden—

s. 143. To change the county line between the counties of Chilton and Elmore.

By Mr. Troy—

s. 144. To regulate the duties of the warden and other officers of the penitentiary in respect to convicts sentenced to hard labor in the penitentiary.

Which were severally read the first time and ordered to a second reading.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

December 1, 1882.

Mr. President :

The House has originated and passed the following bill :

H. B. 154. To regulate the buying and selling of oysters in the shell by measure.

And has passed, without amendment, the bill—

s. 9. To repeal an act to prevent the destruction of fish in the rivers and creeks in Bullock county, Alabama, approved December 3, 1880.

And has adopted a joint resolution, herewith sent—

Relative to a recess of the General Assembly.

The House has refused to concur in the Senate amendment to the joint resolution—

Relative to the appointment of a joint committee to visit the penitentiary and convict camps, and report thereon.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bill, the title of which is set out in the foregoing House message, was read a first time and ordered to a second reading.

On motion of Mr. Troy, the House joint resolution—

Relative to the appointment of a joint committee to visit the penitentiary and convict camps, and report thereon ;

Was taken up.

The Senate refused to recede from its amendment thereto, and

On motion of Mr. Gardner, a committee of conference was requested thereon, said committee to consist of seven members—three from the Senate and four from the House.

The President (Mr. Luckie presiding) appointed on said committee—

Messrs. Gardner, Troy and Jones.

BILLS ON SECOND READING.

The bills—

s. 127. To amend an act to incorporate the Chewacla Lime Company, approved December 9, 1862, and to change the name thereof from Chewacla Lime Company to the "Chewacla Lime Works;"

s. 132. To better secure payment of fines and costs in criminal cases in the courts of this State;

s. 134. To protect vendors of lands;

H. B. 1. To prevent the sale or exchange of cotton in the seed in Barbour county, and sale or exchange of said cotton produced in said county;

H. B. 184. To amend an act entitled "An act to require banks, bankers, insurance companies and those engaged in the business of lending money, to give receipts for collaterals," approved February 12, 1879;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

s. 123. To prevent cruelty to domestic animals;

s. 124. To amend an act to revive and complete the geological and agricultural survey of Alabama;

s. 128. To prevent stock from districts, in which stock is not allowed to run at large, from running at large outside of said districts;

Were severally read a second time and referred to the committee on internal improvements.

The bill—

H. B. 7. To authorize the probate judge of Chambers county to order an election in said county to prevent the sale, giving away, or otherwise disposing of vinous, spirituous or malt liquors, or intoxicating bitters within the limits of said county;

Was read a second time and referred to the committee on temperance.

The bills—

s. 130. For the relief of Benjamin H. Craig of Dallas county;

H. B. 95. To repeal an act for the preservation of game,

animals, and birds in the counties of Mobile, Choctaw, Monroe, Clark, Washington, Baldwin, Marengo, Lowndes, Sumter, Escambia, Hale, Dallas, Montgomery and Greene, approved February 2d, 1877, so far as the same applies to that part of Sumter county lying south of the township line dividing townships eighteen (18) and nineteen (19) ;

Were severally read a second time and referred to the committee on local legislation.

The bill—

H. B. 153. To prevent the taking and catching of oysters within the waters of this State by persons who are not residents of the State, and to provide penalties for violations of this act and proceedings to enforce the same ;

Was read a second time and referred to the committee on federal relations.

The bill—

H. B. 85. To provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee and Pickens, arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies ;

Was read a second time and referred to the special committee on that subject, of which Mr. Troy is chairman.

The bill—

s. 129. To prevent sales and giving credit to students at colleges, schools and academies, without the consent of their parents or guardians ;

Was read a second time and referred to the committee on education.

The bill—

s. 125. To sell a certain plantation belonging to the State, called the State convict farm, purchased of Thomas Williams ;

Was read a second time and referred to the committee on finance.

The bill—

s. 126. To compensate sheriffs for feeding prisoners confined in jail for a contempt of court ;

Was read a second time and referred to the committee on the penitentiary.

The bill—

s. 133. To incorporate the Gesner Mining and Smelting Company ;

Was read a second time and referred to the committee on industrial resources.

The bill—

s. 135. To amend section 5047 of the Code;

Was read a second time and referred to the committee on the revision of laws.

REPORTS FROM STANDING COMMITTEES.

Mr. Troy, from the committee on federal relations, reported favorably the bill—

s. 115. To authorize application to be made to the Congress of the United States to appropriate the sum of \$10,388,-072.10, the amount of tax on raw cotton collected in this State, as a public school fund for this State, and to provide for the investment of said fund;

Which, on his motion, was postponed and made the special order for 11 o'clock, Tuesday next, and one hundred and fifty copies ordered printed for the use of the Senate.

Also, favorably—

The House joint memorial asking aid from the federal government for educational purposes;

Which was read and concurred in.

MOTION TO ADJOURN.

Mr. Gardner moved to adjourn.

Lost.

REPORTS OF COMMITTEES.

Mr. Mitchell, from the committee on revision of laws, reported favorably the bill—

s. 87. To amend section 3113 of the Code;

Which was read a third time and passed—yeas 18, nays 3.

Yeas—Messrs. Bowles, Brooks of Macon, Gardner, Griffin, Jones, Luckie, Mitchell, McSpadden, Norman, Oden, Orr, Rushing, Shelby, Smith, Street, Titcomb, Troy, Ware—18.

Nays—Messrs. Hargrove, Jackson and Moorman—3.

Also, reported favorably the bill—

s. 101. To amend section 3058 of the Code;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. Bowles, Brooks of Macon, Gardner, Griffin, Hargrove, Jackson, Jones, Luckie, Mitchell, Moorman, Mc-

Spadden, Norman, Orr, Rushing, Shelby, Smith, Street, Titcomb, Troy, Ware—20.

ADJOURNMENT.

At ten minutes of 12 M., on motion of Mr. McSpadden, the Senate adjourned for the purpose of witnessing the inauguration of the Hon. E. A. O'Neal, Governor elect of the State of Alabama.

SIXTEENTH DAY.

SATURDAY, December 2, 1882.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Howard of the city.

Present—Messrs. President, Brooks of Macon, Brown, Gardner, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Ware—23.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Bowles till Tuesday, and to Mr. Luckie, indefinitely.

ENROLLED BILLS.

Mr. Orr, from committee on enrolled bills, reported the following bills correctly enrolled :

s. 9. To repeal an act to prevent the destruction of fish in the rivers and creeks in Bullock county, Alabama, approved December 3, 1880.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
December 2, 1882.

Mr. President :

The Speaker of the House having signed the following bills, your signature to the same is requested, viz :

H. B. 13. To repeal an act entitled an act to amend the road law of Dale county, approved February 9th, 1852, and to provide for the payment of the judge of probate and other officers for road service in said county of Dale;

H. B. 91. To amend an act entitled an act for the preservation of game, animals and birds in Perry county, approved February 26th, 1881;

H. B. 86. To provide what shall be receivable in payment of county taxes in Mobile county;

H. B. 62. To permit defendants to make statements in their own behalf in all trials of indictments, complaints, or other criminal proceedings.

D. W. McIVER, Clerk.

SIGNING BILLS.

The President of the Senate, in the presence of the Senate immediately after the titles thereof had been publicly read, signed the bills, the titles of which are set forth in the foregoing House message and report of enrolling committee.

CALL OF THE DISTRICTS.

Bills were introduced:

By Mr. Shelby—

s. 145. To regulate the fees of witnesses for the State in criminal cases.

By Mr. Ware—

s. 146. To establish a normal school at Bladon Springs, in Choctaw county.

By Mr. Jones—

s. 147. To amend section 4410 of the Code.

By Mr. Brooks of Macon—

s. 148. To provide for the collection of debts for which the statutory estate of married women are liable when judgment is in justices' court.

By Mr. Troy (by request)—

s. 149. To amend section 2097 of the Code;

Which were severally read the first time and ordered to a second reading.

BILLS ON SECOND READING.

The bills—

s. 138. To define some of the duties of the State Board of Health;

s. 139. To regulate the practice of quarantine in Alabama;

Were severally read a second time and referred to a special committee, consisting of Messrs. Titcomb, Troy and Gardner.

The bill—

s. 137. To prohibit the sale, giving away, or otherwise disposing of any spirituous, vinous, or malt liquors, or intoxicating beverages, or the manufacture thereof of any kind, in the county of Jackson;

Was read a second time and referred to the committee on temperance.

The bill—

s. 140. To establish and incorporate the Scott Academy, at Scottsboro, in Jackson county, Alabama;

Was read a second time and referred to the committee on education.

The bills—

s. 141. To amend section 1811 of the Code;

s. 142. To repeal section 2 of an act to amend section 4109 of the Code, and to provide for its enforcement, approved February 19th, 1881;

Were severally read a second time and referred to the committee on the revision of laws.

The bill—

s. 143. To change the county line between the counties of Chilton and Elmore;

Was read a second time and referred to the committee on municipal and county organizations.

The bill—

s. 144. To regulate the duties of the warden and other officers of the penitentiary in respect to convicts sentenced to hard labor in the penitentiary;

Was read a second time and referred to the committee on the penitentiary.

The bill—

H. B. 154. To regulate the buying and selling of oysters in the shell by measure;

Was read a second time and referred to the committee on internal improvements.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
Montgomery, Ala., December 2, 1882.

Mr. President :

The Governor has approved the following bill, which originated in the Senate :

s. 9. An act to repeal an act to prevent the destruction of fish in the rivers and creeks in Bullock county, Alabama, approved December 3d, 1880.

W. G. HUTCHESON,
Recording Secretary.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
December 2d, 1882.

Mr. President :

The House has acceded to the request of the Senate for a committee of conference, relative to the joint resolution appointing a joint committee to visit the penitentiary or convict camps and report thereon. Committee on part of House, Messrs. Sanford, Powell, Griffin and Clark.

The House has also originated and passed the following bills, viz :

H. B. 90. To amend an act entitled an act to prevent in certain cases the sale, exchange and transportation of cotton in the counties of Montgomery, Bullock, Dallas, Russell, Lowndes, Wilcox, Sumter, Autauga, and in beats numbers 1, 2, 3, 4, 5, 6, 7, 8 and 9 of Hale county, and of cotton produced in said counties, approved February 1st, 1879, so as to embrace Brush Creek beat of Perry county in the provisions of said act ;

H. B. 315. To amend section thirty-four of an act entitled an act to incorporate the port of Mobile, and to provide for the government thereof, approved February 11th, 1879 ;

H. B. 44. To amend section one of an act, approved February 13th, 1879, for the preservation of game, animals and

birds in the counties therein named, so far as it relates to county of Greene.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the title of which are set forth in the foregoing House message, were severally read the first time and ordered to a second reading.

The House joint resolution on adjournment was taken up and read, as follows :

"Resolved by the House of Representatives, (the Senate concurring,) That the General Assembly adjourn for recess at 2½ p. m., on Tuesday, the 12th day of December, 1882, to meet at 10 a. m., on Wednesday, the 24th day of January, 1883."

Mr. McSpadden moved to strike out "24th" and insert "31."

Mr. Troy moved to amend by striking out "24th day of January" and inserting "February 13th, 1883."

The last amendment was lost.

The first amendment was also rejected.

Mr. Troy moved to postpone the further consideration of the resolution till Tuesday next, and make it the special order for that day.

Lost.

Mr. Troy called for a division of the question, and the question being stated,

"Resolved, That this General Assembly adjourn for recess at 2½ p. m., on Tuesday, the 12th day of December, 1882."

The Senate concurred therein.

Mr. Troy moved to postpone the further consideration of joint resolution till Tuesday next.

On motion of Mr. McClellan, the motion to postpone was tabled.

The question, then, being shall the General Assembly meet at 10 a. m. on Wednesday, the 24th day of January, 1883.

The proposition was agreed to and the joint resolution concurred in.

REPORTS FROM STANDING COMMITTEES.

Mr. Mitchell, from the committee on revision of laws, reported favorably the bill—

H. B. 48. To repeal an act to abolish the office of tax collector in the counties of Baldwin, Escambia and Sanford (now Lamar), as to Lamar county ;

Was read a third time and passed—yeas 19, nays 0.

Yeas—Messrs. President, Brooks of Macon, Brown, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Smith, Street, Titcomb, Ware—19.

Also, favorably, the bill—

H. B. 105. To amend section 871 of the Code of Alabama, so as to include houses or other buildings ;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Brooks of Macon, Brown, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Ware—20

Mr. Titcomb, from the committee on local legislation, reported a substitute for the bill—

s. 96. For the better protection of farmers and other persons therein named, in Conecuh county ;

The substitute was adopted.

The bill was read a third time and postponed, and made a special order for Tuesday next, at 11 o'clock.

Also, favorably, the bill—

s. 15. To prescribe the manner in which claims against the fine and forfeiture fund of Lawrence county shall be paid ;

Which was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Brooks of Macon, Brown, Gardner, Griffin, Hargrove, Jackson, Jones, McClellan, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—22.

REPORT FROM SELECT COMMITTEE.

By leave, Mr. Troy, from a special committee, reported favorably the bill—

H. B. 85. To provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee and Pickens arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies ;

Which, on motion of Mr. Seay, was postponed and made a special order for Monday, after reading the journal.

At the hour of 12 o'clock, the Senate proceeded to consider

THE SPECIAL ORDERS.

First.

By unanimous consent, Mr. Troy withdrew his motion to reconsider the vote on the passage of the bill—

s. 38. To amend an act for the protection of certain portions of lands and plantations lying in Bullock county, from depredations by stock, approved December 8, 1880, and amended February 24, 1881.

Second.

On motion of Mr. Troy, the bill—

s. 25. To regulate proceedings on appeals by defendants to the supreme court in criminal cases ;

Was further postponed and made a special order for Wednesday next.

The Senate resumed consideration of the

REPORTS FROM STANDING COMMITTEES.

Mr. Titcomb, from the committee on local legislation, reported favorably the bill—

H. B. 133. For the relief of James B. Farmer, sheriff of Calhoun county ;

Which, on motion of Mr. Brooks of Macon, was postponed and made a special order for Monday next.

Also, from same committee, reported favorably the bill—

H. B. 16. To incorporate the Dallas Compress Company ;

Which was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. President, Brooks of Macon, Brown, Gardner, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Smith, Street, Titcomb, Troy, Ware—21.

Mr. Brooks of Macon, from the committee on education, reported favorably, the bill—

H. B. 41. To require applicants for license to teach in the public schools of Alabama, who hold diplomas, to pay the same fees for license as other applicants ;

Which was read a third time and passed—yeas 19, nays 3.

Yeas—Messrs. President, Brooks of Macon, Brown,

Gardner, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Smith, Titcomb, Ware—19.

Nays—Messrs. Shelby, Street, Troy—3.

Mr. Orr, from the committee on temperance, reported favorably the bill—

H. B. 7. To authorize the probate judge of Chambers county to order an election in said county to prevent the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors or intoxicating bitters, within the limits of said county;

Which was read a third time and passed—yeas 18, nays 0.

Yeas—Messrs. President, Brown, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Smith, Street, Titcomb and Ware—18.

Mr. Hargrove, from the judiciary committee, reported favorably the bill—

s. 91. To regulate the trial of misdemeanors in Calhoun county;

Which was read a third time and passed—yeas 18, nays 0.

Yeas—Messrs. President, Brown, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Smith, Street, Titcomb, Ware—18.

Also, favorably, the bill—

s. 114. To authorize the mortgaging of crops planted or unplanted;

Which, on motion of Mr. Gardner, was postponed and made the special order for Tuesday next.

Also, reported favorably, the bill—

H. B. 63. To punish the taking of rebates;

Which was read a third time and passed—yeas 18, nays 1.

Yeas—Messrs. President, Brooks of Macon, Brown, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Pate, Rushing, Smith, Street, Titcomb, Troy 18.

Mr. Orr voted no.

Also, returned the bill—

s. 95. To define the duties of judges of probate with reference to the issuing of license for the sale of intoxicating liquors;

Which, with accompanying memorials, was re-committed to the committee on temperance.

Mr. Troy, from same committee, reported favorably, the bill—

s. 116. To fix the tenure of office of railroad commissioners ;

Which, on motion of Mr. Hargrove, was postponed and made a special order for Wednesday next.

MISCELLANEOUS BUSINESS.

Mr. Brooks of Macon, offered a resolution, as follows :

Resolved, That the secretary of the Senate be instructed to procure a copy of the inaugural address delivered by His Excellency, the Governor, on yesterday, and have two thousand copies of the same printed for the use of the Senate.

Adopted.

Mr. Orr, from a special committee appointed to investigate the subject of the stock law in districts where stock is prohibited from running at large, bordering on districts not so prohibited, asked further time to report;

Which was granted.

Mr. Jones offered the following joint resolution :

Resolved by the Senate, the House concurring, That Dr. J. L. M. Curry be requested to furnish the General Assembly a copy of his address on education, delivered on the 1st inst. before the General Assembly, and that the Secretary of the Senate and clerk of the House be instructed to have printed one thousand copies for the use of the General Assembly.

Adopted, and ordered to the House forthwith.

ADJOURNMENT.

On motion of Mr. Smith, at 1.30 o'clock p. m., the Senate adjourned.

SEVENTEENTH DAY.

MONDAY, December 4, 1882.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Avent, of the House.

Present—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham,

Gardner, Grant, Griffin, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Thomas, Titcomb, Ware—28.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Mr. Seay was granted indefinite leave of absence, on account of sickness.

SPECIAL ORDER

The bill—

H. B. 85. To provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee and Pickens, arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies ;

Was taken up and read a third time.

Mr. Hargrove moved to reconsider the vote ordering the bill to a third reading.

Lost.

The bill passed—yeas 26, nays 1.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Smith, Street, Thomas, Titcomb, Troy, Ware—26.

Mr. Hargrove voted no.

CALL OF THE DISTRICTS.

Bills were introduced :

By Mr. Shelby—

s. 150. To repeal article second of chapter six, part one, title two, of the Code of Alabama of 1876, and to abolish the Normal School for colored teachers of Huntsville

By Mr. McSpadden—

s. 151. To regulate the costs in ejectment suits ;

Also,

s. 152. To expedite the trial of civil and criminal cases in circuit courts of this State.

By Mr. Jones (by request)—

s. 153. To admit defendants to bail on all convictions

of criminal offenses, which are bailable, when the defendant takes an appeal, on writ of error to the supreme court.

By Mr. Thomas—

s. 154. To establish the South East Alabama Normal School at Clayton, Barbour county, Ala.

By Mr. Brown (by request)—

s. 155. To repeal an act, approved March 4, 1876, and to make the law of the Code regulating the publication of legal notices apply to the county of Marshall.

By Mr. Gardner—

s. 156. To regulate the employment of State convicts.

By Mr. Davidson—

s. 157. To repeal all laws prohibiting the sale or giving away of spirituous, vinous or malt liquors, or intoxicating bitters, in Marion beat, Perry county, State of Alabama.

Which were severally read the first time and ordered to a second reading.

PRIVILEGED MOTION.

Mr. Norman arose to a question of privilege, and moved to reconsider the vote on the passage of the bill—

H. B. 105. To amend section 871 of the Code of Alabama, so as to include houses or other buildings.

The motion prevailed.

Mr. Norman moved to reconsider the vote ordering the bill to a third reading.

Carried.

Also, moved to amend by adding to the bill the words:

“Within a reasonable time, not to exceed twelve months after such survey, unless the owner of the land shall consent to a longer time for such removal.”

Mr. Farnham moved to amend the amendment by striking out “twelve” and inserting “six.”

Lost.

The amendment was adopted.

On motion of Mr. McClellan, the bill was recommitted to the committee on revision of laws.

The hour of 12 o'clock having arrived, the Senate proceeded to consider the

SPECIAL ORDER,

Which was the bill—

H. B. 133. For the relief of James B. Farmer, sheriff of Calhoun county;

Which, on motion of Mr. Brewer, was recommitted to the committee on local legislation.

REPORT FROM CONFERENCE COMMITTEE.

Mr. Gardner, from a conference committee, submitted the following report :

Mr. President :

The committee of conference on the disagreement of the two houses of the General Assembly in respect to the resolution to appoint a joint committee to investigate the convict system of the State, have had the matter under consideration, and respectfully recommend: That the Senate recede from its amendment to said joint resolution, and that in lieu of said amendment said resolution be amended by striking out all after the words "whose duty it shall be," and inserting in lieu thereof the following: "To report by bill or otherwise, on or before the 6th of December, 1882, what legislation, if any, is required in respect to the hiring of convicts after January 1st, 1883."

[Signed]

A. V. GARDNER,

D. S. TROY,

R. C. JONES,

On part of Senate.

W. J. SAMFORD,

N. W. GRIFFIN,

J. M. CLARK,

On part of House.

The report was concurred in.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

December 4, 1882.

Mr. President :

The House has originated and passed the following bills, viz :

H. B. 97. To prevent the change or the mutilation of marks, brands or numbers on cotton by warehousemen or others.

H. B. 37. To amend an act to amend section 4325 of the Code, approved February 15, 1881.

H. B. 306. To require stock-buyers and shippers in the county of Sumter to file a list and description of all stock bought by them, under oath, with a justice of the peace, and to require justices of the peace to keep a record of the same for the inspection of the public.

H. B. 274. To regulate the fees of probate judges in cases not now provided for by law.

H. B. 130. To authorize the commissioners court of Barbour county to establish or abolish districts in which stock may be prevented from running at large.

And has passed, without amendment, the bill—

s. 29. To repeal an act to increase the pay of jurors and witnesses in Lowndes county, approved December 16, 1853.

Also, has concurred in the Senate joint resolution—

Providing for the printing of Dr. Curry's address.

Also, has adopted a joint resolution, herewith sent—

Relative to printing the report of the warden of the penitentiary.

The House has also adopted the report of the committee of conference relative to the House joint resolution—

Proposing a joint committee to visit the penitentiary and convict camps.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set forth in the foregoing House message, were severally read the first time and ordered to a second reading.

The House joint resolution—

Authorizing the printing of one thousand copies of the report of the warden of the penitentiary;

Was concurred in.

BILLS ON SECOND READING.

The bills—

s. 147. To amend section 4410 of the Code;

s. 148. To provide for the collection of debts in which the statutory estate of married women are liable when judgment is in justice's court ;

s. 149. To amend section 2097 of the Code ;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

H. B. 44. To amend section 1 of an act, approved February 13, 1879, for the preservation of game animals and birds in the counties therein named, so far as it relates to the county of Greene ;

H. B. 90. To amend an act entitled "An act to prevent in certain cases the sale, exchange and transportation of cotton in the counties of Montgomery, Bullock, Dallas, Russell, Lowndes, Wilcox, Sumter, Autauga, and in beats Nos. 1, 2, 3, 4, 5, 6, 7 8 and 9 of Hale county, and of cotton produced in said counties, approved February 1, 1879, so as to embrace Brush Creek beat, of Perry county, in the provisions of said act ;

Were severally read a second time and referred to the committee on local legislation.

The bill—

s. 145. To regulate the fees of witnesses for the State in criminal cases ;

Was read a second time and referred to the committee on revision of laws.

The bill—

s. 146. To establish a normal school at Bladon Springs, in Choctaw county ;

Was read a second time and referred to the committee on education.

The bill—

H. B. 315. To amend section 34 of an act entitled "An act to incorporate the port of Mobile, and to provide for the government thereof," approved February 11, 1879 ;

Was read a second time and referred to the committee on municipal and county organizations.

REPORTS FROM SELECT COMMITTEES.

Mr. Norman, from a select committee, reported favorably the bill—

s. 122. To amend section 494 of the Code ;

Which was read a third time and passed—yeas 18, nays 7.

Yeas—Messrs. President, Brewer, Brooks of Macon, Brooks of Mobile, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Rushing, Thomas—18.

Nays—Messrs. Davidson, McClellan, Pate, Shelby, Street, Titcomb, Ware—7.

Mr. Troy, from a select committee, reported a substitute for the bill—

s. 77. To provide for the collection of State and county taxes in counties having no qualified tax collector ;

Which, on his motion, was postponed and made a special order for to-morrow at 11 o'clock, and 150 copies of the substitute ordered to be printed for the use of the Senate.

REPORTS FROM STANDING COMMITTEES.

Mr. Mitchell, from the committee on revision of laws, reported a substitute for the bill—

s. 97. To repeal an act to regulate the publication of legal notices in the counties of Shelby, Cleburne, Baker, Marshall, DeKalb, Walker, Winston, Coosa, Franklin, St. Clair, Marion, Jefferson, Bibb, Lawrence, Dale, Geneva, Covington and Coffee, so far as the same relates to the counties of Coffee and Geneva.

The substitute was adopted with caption, as follows :

s. 97. To regulate the publication of legal notices in the counties of Coffee and Geneva ;

And the bill was read a third time and passed—yeas 28, nays 0.

Yeas—Messrs. President, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—28.

Also, favorably the bill—

H. B. 121. To provide for the compensation of jurors in Mobile county ;

Which was read a third time, and, on motion of Mr. Brooks of Mobile, was postponed and made a special order for to-morrow immediately after reading the journal.

Mr. Titcomb, from the committee on local legislation, reported favorably the bill—

s. 120. To amend sections 1376, 1380, 1381 and 1383 of the Code ;

Which was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, McSpadden, Norman, Oden, Orr, Pate, Shelby, Street, Titcomb, Troy, Ware—22.

Also, favorably the bill—

s. 119. To amend sections 1385, 1388, 1393, 1395, 1396 and 1399 of the Code ;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, McSpadden, Norman, Oden, Orr, Pate, Rushing, Street, Titcomb, Troy, Ware—23.

The last two bills were ordered forthwith to the House without engrossment.

Mr. McClellan, from the committee on municipal and county organizations, reported favorably the bill—

H. B. 82. To provide for the preservation of the census reports in the hands of probate judges in Alabama ;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Mobile, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Street, Titcomb, Ware—23.

Also, favorably the bill—

s. 110. To provide for the examination of the county offices, county jail, records of the court of county commissioners and the county chain-gang, and report thereon ;

Which was read a third time and passed—yeas 24, nays 1.

Yeas—Messrs. President, Billups, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Street, Thomas, Titcomb, Troy, Ware—24.

Mr. Brewer voted no.

Also, favorably with an amendment, the bill—

s. 59. To establish a new charter for the city of Gadsden.

The amendment was adopted, as follows :

Amend by adding at the end of section 5 of said bill, the following words : "The Alderman of each separate ward shall be elected by the voters of his ward only, and the mayor by the voters of all the wards."

The bill was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. Billups, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Street, Thomas, Titcomb, Troy, Ware—21.

By leave, Mr. Orr, from the committee on temperance, reported favorably the bill—

s. 137. To prohibit the sale, giving away or otherwise disposing of any spirituous, vinous or malt liquors or intoxicating beverages, or the manufacture thereof of any kind in the county of Jackson ;

Which was read a third time.

On motion of Mr. McSpadden, by unanimous consent, after the word "imprisoned," in the 5th section, the words "for not more than six months," were inserted.

The bill passed—yeas 19, nays 3.

Yeas—Messrs. Billups, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Street, Thomas, Titcomb, Ware—19.

Nays—Messrs. Jackson, Shelby and Troy—3.

The last two bills were ordered to the House forthwith without engrossment.

ADJOURNMENT.

At 12 o'clock P. M., on motion of Mr. Brown, the Senate adjourned.

EIGHTEENTH DAY.

TUESDAY, December 5, 1882.

The Senate met pursuant to adjournment.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Thomas, Titcomb, Ware—28.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE

Was granted Mr. Titcomb till to-morrow.

ENROLLED BILLS.

Mr. Orr, from committee on enrolled bills, reported the following bill correctly enrolled :

s. 29. To repeal an act to increase the pay of jurors and witnesses in Lowndes county, approved December 16th, 1853.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES;
December 5, 1882.

Mr. President :

The Speaker of the House having signed the following bills, your signature to the same is requested, viz :

H. B. 7. To authorize the probate judge of Chambers county to order an election in said county, to prevent the sale, giving away, or otherwise disposing of vinous, spirituous, or malt liquors, or intoxicating bitters, within the limits of said county ;

H. B. 16. To incorporate the Dallas Compress Company ;

H. B. 41. To require applicants for license to teach in the public schools of Alabama, who hold diplomas, to pay the same fee for license as other applicants ;

H. B. 48. To repeal an act to abolish the office of tax collector in the counties of Baldwin, Escambia and Sanford, (now Lamar), as to Lamar county.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set forth in the foregoing report of enrolling committee, and House message.

SPECIAL ORDER.

The bill—

H. B. 121. To provide for the compensation of jurors in Mobile county ;

Was taken up and passed—yeas 28, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Street, Thomas, Titcomb, Troy, Ware—28.

CALL OF THE DISTRICTS.

Bills were introduced :

By Mr. McClellan—

s. 158. To amend section 1111, of the Code.

By Mr. Jackson—

s. 159. To regulate the manner of working parties convicted of misdemeanors in this State ;

Also—

s. 160. To increase the fees of sheriffs in criminal cases.

By Mr. Shelby—

s. 161. To repeal article one of chapter six, part one, title two, of the Code ; and to abolish the Normal school and University for colored teachers and students at Marion.

By Mr. Pate, (with notice)—

s. 162. For the relief of Mahaley O'Neal, of Randolph county.

By Mr. Troy, (by request introduced these bills)—

s. 163. To amend section 2234 (1626) of the Code ;

Also—

s. 164. To authorize the Railroad Commission of Alabama to co-operate with the Railroad Commissioners of other States, having Railroad Commissions, in recommending joint rates to said companies on lines extending out of the State of Alabama and into other States, so as to avoid the effect of unjust discrimination by combined local rates, or otherwise ;

Also—

s. 165. To empower the Railroad Commission of Alabama to recommend joint local rates on freight to railroad companies, and persons operating railroads in this State ;

Also—

s. 166. To amend section 28 of an act entitled "an act to provide for the regulation of railroad companies and persons operating railroads in this State," approved February 26th, 1881 ;

Also—

s. 167. To protect passengers from drunk and disorderly persons while traveling on railroad cars.

Also—

s. 168. To prevent railroad corporations, or persons operating railroads in this State, from transporting gun powder, dynamite, nitro-glycerine, or like explosive articles, in any baggage, mail, express, or passenger car in this State.

Also—

s. 169. To punish any person who shall be maliciously concerned in causing an accident, to any railroad engine, or car, by which the death of a human being is produced.

Also—

s. 170. To punish any servant of any corporation, or person owning, or operating any railroad in this State, who shall, in consequence of his intoxication, or any gross, or wilfull misconduct, or negligence, cause any loss of human life, or the breaking of a limb, in the operation of any railroad in this State;

Also—

s. 171. To authorize the conductor of a train to put off a passenger and his baggage, when such passenger refuses to pay his fare.

Also—

s. 172. To protect railroads of this State from trespassers.

By Mr. Gardner—

s. 163. To prohibit county convicts of the counties of Montgomery, Autauga, Lowndes, Dallas, Perry, Hale, Greene, Wilcox, Marengo and Sumter, from being hired and worked beyond the limits of the said counties.

By Mr. Brooks of Mobile—

s. 174. To provide for the better enforcement of sections 4208 and 4445 of the Code.

By Mr. Davidson—

s. 175. To repeal an act to authorize the commissioners court, or board of county revenues of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry, to establish, or abolish districts in which stock may be prevented from running at large, so far as relates to Perry county;

Which were severally read the first time and ordered to a second reading.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
December 5, 1882.

Mr. President:

The House has originated and passed the following bills:

H. B. 330. To repeal an act entitled "an act to establish a new charter for the city of Opelika," and amendment thereof.

H. B. 338. To amend section 1807 of the Code;

H. B. 170. To provide for an election by the legal electors of Dale county, on the question of prohibition, or no prohibition, of the making, or selling, or otherwise disposing of any spirituous, or malt liquors, or intoxicating bitters of any kind in any quantity within Dale county; the same being prohibited by an act entitled "an act to prohibit the making or selling, or otherwise disposing of spirituous, or malt liquors, or intoxicating bitters, of any kind in any quantity, within the counties of Dale and Henry," approved February the 20th, 1881, except as provided in said act;

And has originated and passed, and ordered forthwith to the Senate the bill:

H. B. 290. To regulate the drawing and empanneling of grand and petit juries in Dallas county.

The House has also adopted a joint resolution, herewith sent—

Relative to the establishment of a Department of Agriculture, and providing for a joint committee thereon:

Committee on part of the House:

Messrs. Hawkins of Barbour, Wood, Moren and Avery.

The House has passed, without amendment, the bill,

s. 26. To amend sections 1803 and 1804 of the Code.

And has passed, with amendment, as therein shown, the bill,

s. 30. To amend section 3218 of the Code.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set out in the foregoing House message,

Were severally read the first time and ordered to a second reading.

The Senate concurred in the House amendment to the bill—

s. 30. To amend section 3218 of the Code—yeas 25, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Street, Thomas, Troy, Ware—25.

The Senate concurred in the House joint resolution—
Relative to a Department of Agriculture.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
Montgomery, Ala., December 5th, 1882.

Mr. President:

The Governor has approved the following bill which originated in the Senate:

s. 29. An act to repeal an act to increase the pay of jurors and witnesses in Lowndes county, approved 16th December, 1853.

Respectfully,
W. G. HUTCHESON,
Recording Secretary.

At 11 o'clock the Senate proceeded to consider

THE SPECIAL ORDER,

Which was the bill—

s. 77. To provide for the collection of State and county taxes in counties having no qualified tax collector;

Which, on motion of Mr. McSpadden, was postponed and made a special order for to-morrow, after reading the journal.

BILLS ON SECOND READING.

The bills—

H. B. 130. To authorize the commissioners court of Barbour county to establish, or abolish districts in which stock may be prevented from running at large;

H. B. 306. To require stock buyers and shippers in the county of Sumter to file a list and description of all stock bought by them, under oath, with a justice of the peace, and to require justices of the peace to keep a record of the same for the inspection of the public;

Were severally read a second time and referred to the committee on local legislation.

The bill—

H. B. 97. To prevent the change, or the mutilation of marks, brands or numbers, on cotton by warehousemen or others;

Was read a second time and referred to the committee on industrial resources.

The bills—

H. B. 37. To amend an act to amend section 4325 of the Code, approved February 15th, 1881;

s. 151. To regulate the costs in ejectment suits;

s. 152. To expedite the trial of civil and criminal cases in circuit courts of this State;

s. 153. To admit defendants to bail on all convictions of criminal offenses, which are bailable when the defendant takes an appeal, or writ of error to the supreme court;

Were severally read the second time and referred to the judiciary committee.

The bill—

H. B. 274. To regulate the fees of probate judges in cases not now provided for by law;

Was read a second time and referred to the committee on revision of laws.

The bills—

s. 154. To establish the South East Alabama Normal School at Clayton, Barbour county, Alabama;

s. 150. To repeal article second of chapter six, part one, title two of the Code of Alabama, and to abolish the "Normal school for colored teachers at Huntsville;"

Were severally read a second time and referred to the committee on education.

The bill—

s. 155. To repeal an act approved March 4th, 1876, to make the law of the Code regulating the publication of legal notices apply to the county of Marshall;

Was read a second time and referred to the committee on municipal and county organizations.

The bill—

s. 156. To regulate the employment of State convicts;

Was read a second time and referred to the special joint committee on the penitentiary.

The bill—

s. 157. To repeal all laws prohibiting the sale, or giving away spirituous, vinous or malt liquors, or intoxicating biters in Marion beat, Perry county, State of Alabama;

Was read a second time and referred to the committee on temperance.

REPORTS FROM STANDING COMMITTEES.

Mr. McClellan, from the committee on municipal and county organizations, reported favorably the bill—

s. 143. To change the county line between the counties of Chilton and Elmore;

Which was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Griffin, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Rushing, Shelby, Smith, Street, Thomas, Troy, Ware—25.

Mr. Jones, from the committee on the penitentiary, reported favorably the bill—

s. 126. To compensate sheriffs for feeding prisoners confined in jail for a contempt of court;

Which was read a third time.

Mr. McSpadden moved to reconsider the vote ordering the bill to a third reading.

Lost.

The bill passed—yeas 15, nays 10.

Yeas—Messrs. President, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Hargrove, Jackson, Jones, Mitchell, Moorman, Norman, Oden, Orr, Rushing, Thomas. 15.

Nays—Messrs. Bowles, Brown, Farnham, McClellan, McSpadden, Pate, Shelby, Street, Troy, Ware—10.

Also, from same committee, reported a substitute for the bill—

s. 144. To regulate the duties of the warden and other officers of the penitentiary in respect to convicts sentenced to hard labor in the penitentiary.

On motion of Mr. Troy, the bill and substitute were post-

poned and made a special order for to-morrow, and 150 copies of the substitute ordered to be printed.

Mr. Farnham, from the committee on industrial resources, reported favorably the bill—

s. 133. To incorporate the Gesner Mining and Smelting Company.

Mr. Brewer moved to strike out section 7, and number section 8 as section 7.

Agreed to—yeas 24, nays 3.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, McSpadden, Orr, Pate, Rushing, Shelby, Smith, Thomas, Troy—24.

Nays—Messrs. Farnham, Moorman, Street—3.

The bill was read a third time and passed—yeas 27, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Thomas, Troy—27.

At the hour of 12 o'clock, M., the Senate proceeded to consider

THE SPECIAL ORDERS.

First.

The bill—

s. 114. To authorize the mortgaging of crops, planted or unplanted ;

Was taken up, and, on motion of Mr. McSpadden, amended by unanimous consent, as follows :

Add at close of section 1—

“ Provided, That the provisions of this act shall not interfere with the prior and superior liens of landlords, as now declared by law.”

Mr. Jackson moved to table the bill.

Lost.

The bill, having been read a third time, passed—yeas 23, nays 7.

Yeas—Messrs. Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Grant Griffin, Har-

grove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Rushing, Smith, Street, Troy, Ware—23.

Nays—Messrs. President, Gardner, Jackson, Orr, Pate, Shelby, Thomas—7.

Second.

The bill—

s. 96. For the better protection of farmers and other persons therein named in Conecuh county ;

Was taken up and passed—yeas 27, nays 2.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Smith, Street, Thomas, Troy, Ware—27.

Messrs. Shelby and Jackson voted no.

The bill was ordered forthwith to the House without engrossment.

Third.

The bill—

s. 115. To authorize application to be made to the Congress of the United States to appropriate the sum of \$10,-388,072.10—the amount of tax on raw cotton collected in this State, as a public school fund for this State, and to provide for the investment of said fund ;

Was read a third time.

Mr. Brooks of Mobile, moved to indefinitely postpone the bill.

Lost—yeas 6, nays 20.

Yeas—Messrs. President, Brooks of Mobile, Grant, Hargrove, Jones, McClellan—6.

Nays—Messrs. Billups, Bowles, Brooks of Macon, Brown, Davidson, Farnham, Gardner, Griffin, Jackson, Mitchell, Moorman, McSpadden, Oden, Orr, Pate, Rushing, Street, Troy, Ware—20.

The bill passed—yeas 16, nays 10.

Yeas—Messrs. Bowles, Brooks of Macon, Brown, Davidson, Farnham, Gardner, Jackson, Moorman, McSpadden, Oden, Orr, Rushing, Shelby, Street, Troy, Ware—16.

Nays—Messrs. President, Billups, Brooks of Mobile, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Pate—10.

The bill was ordered to the House forthwith, without engrossment.

By leave, Mr. Brooks of Mobile, from the committee on finance, reported a substitute for the bill—

H. B. 163. To make an appropriation for the benefit of the sheriffs of this State.

The substitute was adopted, with caption as follows :

H. B. 163. To make an appropriation for the payment of accounts of sheriffs, which accrued during the two years next preceding the first day of October, 1882, for feeding and for removal of prisoners ;

The bill was read a third time and passed—yeas 27, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Street, Troy, Ware—27.

The bill just passed, was ordered to the House forthwith.

RESOLUTION.

By leave, Mr. Brooks offered a resolution :

Resolved, That the secretary be authorized to employ such additional clerical assistance as is necessary to aid in the dispatch of the business of the Senate.

Adopted.

ADJOURNMENT.

Mr. Troy moved that the Senate take a recess till 4 p. m.
Lost.

On motion of Mr. McClellan, at 2 p. m., the Senate adjourned.

NINETEENTH DAY.

WEDNESDAY, December 6, 1882.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Howell, of Cleburne.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate,

Rushing, Seay, Shelby, Smith, Street, Thomas, Titecomb, Ware—30.

The journal of yesterday was read and approved.

REQUEST TO RETURN.

On motion of Mr. McSpadden, the House was requested to return the bill—

s. 115. To authorize application to be made to the Congress of the United States to appropriate the sum of \$10,-388.072.10—the amount of tax on raw cotton collected in this State—as a public school fund for this State, and to provide for the investment of said fund.

ENROLLED BILLS.

Mr. Davidson, from the committee on enrolled bills, reported the following bills correctly enrolled :

s. 30. To amend section 3218 of the Code;

s. 26. To amend sections 1803 and 1804 of the Code.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
December 6, 1882.

Mr. President :

The Speaker of the House having signed the following bills, your signature to the same is requested, viz :

H. B. 85. To provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee and Pickens, arising from bonds issued by said counties, in payment of stock subscribed to the capital stock of railroad companies ;

H. B. 63. To punish the taking of rebates ;

H. B. 82. To provide for the preservation of the census reports in the hands of probate judges in Alabama.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed

the bills, the titles of which are set forth in the foregoing report of the enrolling committee and House message.

APPOINTMENT OF COMMITTEE.

Under the House joint resolution providing for the appointment of a joint committee to consider the propriety of having a Department of Agriculture, the President appointed as a committee on part of the Senate—

Messrs. Brooks of Macon, Gardner and Griffin.

CALL OF THE DISTRICTS.

Bills were introduced :

By Mr. McClellan—

s. 176. To amend section 3259 of the Code.

By Mr. Shelby—

s. 177. To repeal article three of chapter six, part one, title two of the Code, and to abolish the Normal School for white male and female teachers at Florence.

By Mr. Street—

s. 178. To require railroad companies and persons operating railroads in this State to give proper receipts to shippers and consignees of freight.

By Mr. Billups—

s. 179. For the relief of the tax assessor of Pickens county.

By Mr. Bowles—

s. 180. To repeal an act to regulate the number of persons drawn to serve as grand and petit jurors for the counties of Fayette, Lamar, Washington, Cherokee, Marion, St. Clair, Monroe, Calhoun, Franklin, Colbert, Chilton, Cleburne, Escambia, Coffee, Baldwin, Pike, Talladega, Blount, Crenshaw, Clay, Cullman and Lawrence, approved February 13, 1879, so far as the same relates to Crenshaw county.

By Mr. Seay—

s. 181. To organize a commission to consider and report to the supreme court a Code of Pleading and Procedure for the courts of common law jurisdiction ;

Also,

s. 182. To amend section 2811 of the Code ;

Also,

s. 183. To secure the equitable distribution of the hard labor and fine and forfeiture funds of Hale county, Ala ;

Which were severally read the first time and ordered to a second reading.

The President laid before the Senate—

s. 184. Petitions of citizens of Opelika, asking the repeal of the present charter of the city, and the enactment of a new charter ;

Which was referred to the committee on the judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

December 6, 1882.

Mr. President :

The House has originated and passed the following bills, viz :

H. B. 271. To amend section 1719 of the Code.

H. B. 247. To require the solicitors of this State to make annual reports to the Attorney General of the number of persons prosecuted upon criminal charges during the year preceding, in each of the counties in their respective jurisdictions; the character of the alleged offenses, the result of the trials, and the punishments imposed.

H. B. 269. To authorize the county of Mobile to make and issue its bonds to a limited amount, for a certain specific purpose.

H. B. 356. To divide the State into four chancery divisions, and provide for the election of a chancellor in the western division.

H. B. 339. To require the payment of fines and forfeitures in Mobile county, in lawful money of the United States.

H. B. 161. To regulate the fine and forfeiture fund of St. Clair county.

H. B. 71. To increase the jurisdiction of justices of the peace in Dallas, Choctaw, Cherokee, Elmore, Sumter, Geneva, Montgomery, Autauga, Lowndes, Perry, Clay, St. Clair, Coosa, Hale, Russell, Barbour, Madison, Limestone and Marengo counties.

H. B. 98. To give landlords of store-houses a lien on the goods of their tenants for rent.

Also, at the request of the Senate, returns the bill—

s. 115. To authorize application to be made to the Congress of the United States to appropriate the sum of \$10,-388,072.10, the amount of tax on raw cotton collected in this

State, as a public school fund for this State, and to provide for the investment of said fund.

The House has amended, as therein shown, and passed the bill—

s. 69. To regulate the trials of misdemeanors in Sumter county.

The House has also originated and passed the bills:

H. B. 305. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or cordials, or fruits preserved in alcoholic liquors within five miles of Highland Home Institute, Crenshaw county, Alabama.

H. B. 406. To amend an act to prohibit the sale or giving away of any vinous, spirituous or malt liquors in the town of Dayton, or within six miles of said town, approved December 4th, 1880.

And has ordered to the Senate without engrossment the last two bills.

D. W. McIVER, Clerk.

HOUSE MESSAGE.

The House bills, the titles of which are set forth in the foregoing House message, were severally read the first time and ordered to a second reading.

PRIVILEGED MOTION.

Mr. McSpadden arose to a question of privilege, and moved to reconsider the vote on the passage of the bill—

s. 115. To authorize application to be made to the Congress of the United States to appropriate the sum of \$10,388,-072.10, the amount of tax on raw cotton collected in this State, as a public school fund for this State, and to provide for the investment of said fund.

And the vote on the passage thereof was reconsidered—yeas 21, nays 11.

Yeas—Messrs. President, Billups, Brooks of Mobile, Davidson, Farnham, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Seay, Smith, Street, Titcomb—21.

Nays—Messrs. Bowles, Brewer, Brooks of Macon, Brown Gardner, Jackson, Oden, Rushing, Shelby, Troy, Ware—11.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., December 6, 1882.

Mr. President :

The Governor has approved the following bills, which originated in the Senate :

s. 26. An act to amend sections 1803 and 1804 of the Code.

s. 30. An act to amend section 3218 of the Code.

I am also directed by His Excellency, the Governor, to communicate to the Senate these messages in writing.

Respectfully,

W. G. HUTCHESON,
Recording Secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

December 6, 1882.

Mr. President :

The House has originated and passed the bills—

H. B. 390. To fix the time for holding the circuit courts in Calhoun county.

H. B. 238. To repeal an act entitled an act to provide a fund for the payment of the witnesses for the State in the circuit and county courts of Tuscaloosa county, and prescribe their compensation, approved March 1, 1881.

H. B. 387. To vacate and annul the charter and dissolve the corporation of the city of Selma, and to provide for the application of the assets thereof to the payment of the debts thereof.

H. B. 347. To establish a new charter for the city of Opelika.

And ordered the same forthwith to the Senate without engrossment.

D. W. McIVER, Clerk.

HOUSE MESSAGE.

The House bills, the titles of which are set forth in the foregoing House message, were severally read the first time and ordered to a second reading.

REPORT OF THE SPECIAL COMMITTEE.

Mr. Jones, from a special joint committee, submitted the following report:

Mr. President:

We, the undersigned, committee appointed by a joint resolution of the two Houses "to report by bill, or otherwise, on or before the 6th day of December, 1882, what legislation, if any, is required in respect to the hiring of convicts after January 1st, 1883," respectfully report that bills have been introduced in the Senate and House of Representatives providing for the work contemplated for this committee, and they ask to be discharged.

R. C. JONES,
A. C. DAVIDSON,
Committee on the part of the Senate.
GEO. W. VINES,
S. A. M. WOOD,
W. J. SAMFORD,
Committee on the part of the House.

The report was concurred in, and the committee discharged.

Mr. Jones, from same committee, also returned the bill—
s. 156. To regulate the employment of State convicts;

Which, on motion of Mr. Gardner, was withdrawn by him from the consideration of the Senate.

THE SPECIAL ORDER,

Which was the bill—

s. 77. To provide for the collection of State and county taxes in counties having no qualified tax collectors;

Was taken up, and the substitute adopted.

On motion of Mr. Seay, the vote adopting the substitute was reconsidered.

Mr. Bowles moved to strike out sections 8, 9 and 10 of the substitute.

Mr. Mitchell offered, as a substitute therefor, the following:

Amend by adding the following section to the bill: "Section 11. That this act shall only apply to the counties of Lee, Chambers, Tallapoosa, Pickens and Randolph."

And by inserting the words "named in this act," after the

word "State" in the second line of the 1st section of the bill.

Lost.

The amendment was also lost—yeas 10, nays 22.

Yeas—Messrs. Bowles, Brooks of Mobile, Grant, Griffin, Hargrove, Luckie, McSpadden, Seay, Shelby, Thomas—10.

Nays—Messrs. President, Billups, Brewer, Brooks of Macon, Brown, Davidson, Farnham, Gardner, Jones, McClellan, Mitchell, Moorman, Norman, Oden, Orr, Pate, Rushing, Smith, Street, Titcomb, Troy, Ware—22.

Mr. Troy moved to amend the substitute by striking out of second line (printed copy) the words, "shall be vacant and remain vacant for more than twenty," and insert in lieu thereof the words, "shall have been vacant and remain vacant for more than sixty."

Agreed to.

Also, to add to section 9 this proviso :

"Provided, That the holders of such certificate of indebtedness shall only recover on, or demand payment of certificates held by him in excess of the amount of taxes, if any, due by him to the county."

Agreed to.

Mr. Hargrove moved to amend by striking out section 9.

On motion of Mr. Harrison (Mr. Farnham presiding), the amendment was tabled.

The substitute was adopted, with caption as follows :

s. 77. To provide for the collection of State taxes in counties having no qualified tax collectors, and to regulate the finances of such counties.

The bill was read a third time and passed—yeas 28, nays 5.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, Norman, Oden, Orr, Pate, Rushing, Smith, Street, Thomas, Titcomb, Troy, Ware—28.

Nays—Messrs. Bowles, Jackson, McSpadden, Seay, Shelby—5.

The bill was ordered to the House forthwith.

THE SECOND AND THIRD SPECIAL ORDERS,

Which were the bills—

s. 25. To regulate proceedings on appeals by defendants to the supreme court in criminal cases ;

s. 116. To fix the tenure of office of railroad commissioners ;

Were severally postponed and made special orders for January 25th, 1883—the last bill with an amendment offered by Mr. Brooks of Macon.

THE FOURTH SPECIAL ORDER,

Which was the bill—

s. 144. To regulate the duties of the warden and other officers of the penitentiary in respect to convicts sentenced to hard labor in the penitentiary ;

Was taken up.

Mr. Luckie moved to postpone the bill and make it the special order for to-morrow.

Lost.

On motion of Mr. Smith, the further consideration of the bill was postponed until to-morrow immediately after the reading of the journal, and made the special order for that hour.

ADJOURNMENT.

On motion of Mr. Jackson, at 1:30 p. m., the Senate adjourned.

TWENTIETH DAY.

THURSDAY, December 7, 1882.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Howell, of Cleburne county.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Ware—31.

LEAVE OF ABSENCE.

Indefinite leave of absence was granted Mr. Jackson.

The journal of yesterday was read and approved.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
December 7, 1882.

Mr. President :

The Speaker of the House having signed the following bill, your signature to the same is requested, viz :

H. B. 121. To provide for the compensation of jurors in Mobile county.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after its title had been publicly read, signed the bill, the title of which is set forth in the foregoing House message.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
December 7, 1882.

Mr. President :

The House has amended, as therein shown, and passed the bill—

s. 63. To authorize the purchasers of the road bed of any turnpike, macadamized, planked, shelled, or other improved road previously belonging to and used as a toll road by any corporation created under the general laws of Alabama for that purpose, to constitute themselves into a body politic and corporate.

H. B. 288. To authorize and require the Governor to destroy all uncurrent funds in the treasury, and all six per cent. bonds that have not been issued.

H. B. 264. To authorize the people of Winston county to vote on the question of removing the county seat of said county, and to permanently locate the same (with petition).

H. B. 280. To regulate the payment of sheriffs' fees for feeding prisoners in jail.

The last bill being ordered to the Senate forthwith without engrossment.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set forth in the foregoing House message, were severally read the first time and ordered to a second reading.

The Senate concurred in the House amendments to the bill—

s. 63. To authorize the purchasers of the road bed of any turnpike, macadamized, planked, shelled, or other improved road previously belonging to and used as a toll road by any corporation created under the general laws of Alabama for that purpose, to constitute themselves into a body politic and corporate.

Yeas 26, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Mobile, Brown, Farnham, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Ware—26.

Also, concurred in the House amendments to the bill—

s. 69. To regulate the trial of misdemeanors in Sumter county.

Yeas 30, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Ware—30.

REPORTS FROM COMMITTEES.

By leave, Mr. Mitchell, from the committee on revision of laws, returned the bills—

s. 5. To repeal an act to further regulate the trial of misdemeanors in Madison county;

s. 6. To repeal an act to regulate the trial of misdemeanors in Madison county;

Which were recommitted to the judiciary committee.

By leave, Mr. Pate, from the committee on local legislation, reported favorably to the bill—

s. 57. To repeal section four of an act to amend section 4109 of the Code, and to provide for its enforcement, approved February 19th, 1891, so far as the same relates to the counties of Lawrence and Colbert;

Which was read a third time, and

On motion of Mr. McClellan, amended, by unanimous consent, by including within the provisions of the bill the counties of Limestone, Randolph, Marion, Lowndes, Russell and Barbour.

Mr. Orr moved to postpone the further consideration of the bill, and make it the special order for January 25th, 1883.

Lost.

Mr. McClellan moved to reconsider the vote ordering the bill to a third reading, and on his motion, the bill and motion to reconsider were postponed and made the special order for January 26th, 1883.

BILLS ON SECOND READING.

The bills—

s. 160. To increase the fees of sheriffs in criminal cases ;

s. 163. To amend section 2234 (1626) of the Code ;

s. 164. To authorize the Railroad Commission of Alabama to co-operate with the Railroad Commissioners of other States, having Railroad Commissions, in recommending joint rates to said companies on lines extending out of the State of Alabama and into other States, so as to avoid the effect of unjust discrimination by combined local rates, or otherwise ;

s. 165. To empower the Railroad Commission of Alabama to recommend joint local rates on freight to railroad companies, and persons operating railroads in this State ;

s. 166. To amend section 28 of an act entitled "an act to provide for the regulation of railroad companies and persons operating railroads in this State," approved February 26, 1881 ;

s. 167. To protect passengers from drunk and disorderly persons while traveling on railroad cars ;

s. 168. To prevent railroad corporations, or persons operating railroads in this State, from transporting gun powder, dynamite, nitro-glycerine, or like explosive articles in any baggage, mail, express or passenger car in this State ;

s. 169. To punish any person who shall be maliciously concerned in causing an accident to any railroad, engine or car by which the death of a human being is produced ;

s. 170. To punish any servant of any corporation, or person owning or operating any railroad in this State, who shall

in consequence of his intoxication, or any gross, or wilfull misconduct, or any negligence, cause any loss of human life, or the breaking of a limb in the operation of any railroad in this State;

s. 171. To authorize the conductor of a train to put off a passenger and his baggage, when such a passenger refuses to pay his fare;

s. 172. To protect railroads of this State from trespassers;

s. 174. To provide for the better enforcement of section 4208 and 4445 of the Code;

s. 176. To amend section 3259 of the Code;

s. 178. To require railroad companies and persons operating railroads in this State to give proper receipts to shippers and consignees of freight;

s. 181. To organize a commission to consider and report to the Supreme Court a code of pleading and procedure for the courts of common law jurisdiction;

s. 182. To amend section 2811 of the Code;

H. B. 290. To regulate the drawing and empanneling of grand and petit juries in Dallas county;

H. B. 347. To establish a new charter for the city of Opelika;

H. B. 330. To repeal an act entitled an act to establish a new charter for the city of Opelika and amendments thereof;

H. B. 339. To require the payment of fines and forfeitures in Mobile county in lawful money of the United States;

H. B. 71. To increase the jurisdiction of justices of the peace in Dallas, Choctaw, Cherokee, Elmore, Sumter, Geneva, Montgomery, Autauga, Lowndes, Perry, Clay, St. Clair, Coosa, Hale, Russell, Barbour, Madison, Limestone and Marengo counties;

H. B. 98. To give land lords of storehouses a lien on the goods of their tenants for rent;

H. B. 247. To require the solicitors of this State to make annual reports to the Attorney General of the number of persons prosecuted upon criminal charges during the year preceding, in each of the counties in their respective jurisdictions, the character of the alleged offenses, the result of the trials, and the punishment imposed;

H. B. 338. To amend section 1867 of the Code;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

s. 159. To regulate the manner of working parties convicted of misdemeanors in this State ;

s. 183. To secure the equitable distribution of the hard labor and fine and forfeiture funds of Hale county, Alabama;

Were severally read the second time and referred to the committee on the penitentiary.

The bill—

s. 173. To prohibit county convicts of the counties of Montgomery, Autauga, Lowndes, Dallas, Perry, Hale, Greene, Wilcox, Marengo and Sumter from being hired and worked beyond the limits of the said counties ;

Was read a second time, and on motion of Mr. Smith, amended by striking from the caption and body of the bill the counties of Sumter, Wilcox, Greene and Marengo.

The bill was referred to the committee on the penitentiary.

The bills—

s. 162. For the relief of Mahaley O'Neal, of Randolph county ;

s. 179. For the relief of the tax assessor of Pickens county ;

H. B. 238. To repeal an act entitled "an act to provide a fund for the payment of the witnesses for the State, in the circuit and county courts of Tuscaloosa county, and prescribe their compensation," approved March 1, 1881 ;

H. B. 387. To vacate and annul the charter and dissolve the corporation of the city of Selma, and to provide for the application of the assets thereof to the payment of the debts thereof ;

Were severally read a second time and referred to the committee on local legislation.

The bills—

s. 158. To amend section 1111 of the Code ;

s. 161. To repeal article one of chapter six, part one, title two, of the Code ; and to abolish the Normal school and University for colored teachers and students at Marion.

s. 177. To repeal article three of chapter six, part one, title two of the Code, and to abolish the Normal school for white male and female teachers, at Florence ;

Were severally read a second time and referred to the committee on education.

The bill—

H. B. 390. To fix the time for holding the circuit court in Calhoun county ;

Was read a second time and referred to a special committee, consisting of Messrs. Grant, Thomas and Gardner, with leave to report at any time.

The bill—

H. B. 356. To divide the State into four Chancery Divisions, and provide for the election of a Chancellor in the Western Division ;

Was read a second time and referred to a special committee, consisting of Messrs. Smith, Luckie, Billups, McSpadden and Farnham with leave to report at any time.

The bill—

H. B. 170. To provide for an election by the legal electors of Dale county, on the question of prohibition or no prohibition of the making or selling, or otherwise disposing of any spirituous or malt liquors, or intoxicating bitters of any kind, in any quantity, within Dale county ; the same being prohibited by an act entitled an act to prohibit the making, selling or otherwise disposing of spirituous or malt liquors, or intoxicating bitters of any kind, in any quantity, within the counties of Dale and Henry, approved February the 26th, 1881, except as provided in said act ;

Was read a second time and referred to a special committee consisting of Messrs. Rushing, Farnham and McSpadden, with leave to report at any time.

The bill—

H. B. 406. To amend an act to prohibit the sale or giving away of any vinous, spirituous or malt liquors, in the town of Dayton, or within six miles of said town, approved December 4th, 1880 ;

Was read a second time and referred to the committee on temperance.

The bills—

s. 180. To repeal an act to regulate the number of persons drawn to serve as grand and petit jurors for the counties of Fayette, Lamar, Washington, Cherokee, Marion, St. Clair, Monroe, Calhoun, Franklin, Colbert, Chilton, Cleburne, Escambia, Coffee, Baldwin, Pike, Talladega, Blount, Crenshaw, Clay, Cullman and Lawrence, approved February 13th, 1879, so far as the same relates to Crenshaw county ;

H. B. 271. To amend section 1719 of the Code ;

Were severally read a second time and referred to the committee on revision of laws.

The bill—

s. 175. To repeal an act to authorize the commissioners

court, or board of county revenues of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry, to establish or abolish districts in which stock may be prevented from running at large, so far as relates to Perry county ;

Was read a second time and referred to the committee on industrial resources. .

The bill—

H. B. 269. To authorize the county of Mobile to make and issue its bonds to a limited amount for a certain specific purpose ;

Was read a second time and referred to the committee on finance.

The bill—

H. B. 161. To regulate the fine and forfeiture fund of St. Clair county ;

Was read a second time and referred to the committee on municipal and county organizations.

The bill—

H. B. 305. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, or cordials, or fruit preserved in alcoholic liquors within five miles of Highland Home Institute, Crenshaw county, Alabama ;

Was read a second time and referred to a special committee, consisting of Messrs. Bowles, Mitchell and Brewer, with leave to report at any time.

THE SPECIAL ORDER,

Which was the bill—

s. 144. To regulate the duties of the warden and other officers of the penitentiary, in respect to convicts sentenced to hard labor in the penitentiary ;

Was taken up.

Mr. McClellan moved to amend by striking out all after the word "convicted," in section 5, line 5 of the substitute, and insert the words, "if practicable."

Agreed to.

Mr. Gardner offered a substitute for the substitute, which, on motion of Mr. Smith, was tabled.

Mr. Troy offered an amendment, which, on motion of Mr. Luckie, was tabled.

Mr. Farnham moved to postpone the further consideration of the bill till January 26th, 1883.

Lost—yeas 8, nays 24.

Yeas—Messrs. Brooks of Mobile, Brown, Farnham, Griffin, McSpadden, Pate, Rushing, Street—8.

Nays—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Davidson, Gardner, Grant, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, Norman, Oden, Orr, Seay, Shelby, Smith, Titcomb, Troy, Ware—24.

Mr. Troy moved to amend section 5 (printed copy) by inserting after the word "felony," in the fourth line, the following:

"Nor shall county convicts and penitentiary convicts be employed at the same work, or be confined in the same building or camp."

Mr. Jackson moved to table the amendment.

Lost—yeas 15, nays 18.

Yeas—Messrs. Bowles, Brewer, Brooks of Macon, Farnham, Jackson, Jones, Luckie, McClellan, Mitchell, Orr, Pate, Shelby, Thomas, Titcomb, Ware—15.

Nays—Messrs. President, Billups, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Moorman, McSpadden, Norman, Oden, Rushing, Seay, Smith, Street, Troy—18.

Mr. Gardner offered an amendment to the amendment.

Lost.

Mr. Farnham moved to adjourn.

Lost.

On motion of Mr. McClellan, the further consideration of the special order was temporarily suspended for the

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. McClellan, (by request)—

s. 186. To permanently locate the seat of justice in Morgan county.

By Mr. Brewer, (with notice)—

s. 187. To remove the estate of Mary A. Harrell, deceased, from Butler county to Lowndes county.

By Mr. McClellan—

s. 188. To amend section 2468 of the Code.

By Mr. Shelby—

s. 189. To make it unlawful for the county superintendent of education, examining board or other person, to charge a teacher for examination as to qualifications to teach.

By Mr. Farnham—

s. 190. To authorize the sale of lands belonging to the estate of deceased persons, at private sale.

By Mr. Jones—

s. 191. To amend section 4203 of the Code.

By Mr. Thomas—

s. 192. To amend section one of an act, approved February 24th, 1881, to make it a misdemeanor for the persons having the control of certain live stock to allow the same to run at large off their own premises, and to fix the punishment and provide for the trial where such persons live in that portion of Barbour county in limits defined in this act.

By Mr. Troy, (by request)—

s. 193. To prevent monopolies in the transportation of freight, and to secure free and fair competition in the same;

Also, (by request)—

s. 194. To amend sections 2887 and 2888 of the Code;

Also, (by request)—

s. 195. To provide for the exchange of certain bonds and coupons attached, issued by the State of Alabama for new bonds.

By Mr. Gardner (by request)—

s. 196. To appropriate the money collected from licenses by the State for the sale of liquors within the corporate limits of the cities of Montgomery and Selma, to public school purposes in said cities;

Which were severally read the first time and ordered to a second reading.

PETITIONS.

The President of the Senate laid before the Senate,

s. 185. A communication from the mayor and aldermen of the city of Opelika, upon the repeal of the charter of said city and the enactment of a new charter for the same;

Which was referred to the judiciary committee.

Mr. Seay presented—

s. 197. A protest by certain citizens of Hale county, Alabama, against the further extension of the agricultural cane-brake district;

Which was referred to the committee on local legislation.

Mr. Orr presented—

s. 198. Petitions to prohibit the sale of intoxicating liquors in the State of Alabama, from citizens of Butler county;

Which were referred to the committee on temperance.

RESOLUTIONS.

By leave,

Mr. Billups offered a resolution of thanks to the proprietors of the Mobile Daily Register for copies of that paper furnished daily to the Senate during the session.

Adopted.

By leave,

Mr. Brooks of Mobile, offered a resolution, as follows:

Resolved, That hereafter, until recess, the Senate shall meet at 10 o'clock a. m. and adjourn at 2 o'clock p. m., and shall re-assemble at 4 o'clock p. m.

Mr. Brooks of Macon, moved to lay the resolution on the table.

Lost—yeas 9, nays 25.

Yeas—Messrs. Brooks of Macon, Farnham, Jackson, McClellan, Moorman, Pate, Rushing, Smith, Thomas—9.

Nays—Messrs. President, Billups, Brewer, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, Mitchell, McSpadden, Norman, Oden, Orr, Seay, Shelby, Street, Titcomb, Troy, Ware—25.

The resolution was adopted.

SPECIAL ORDERS.

On motion of Mr. Troy, the bill—

s. 144. To regulate the duties of the warden and other officers of the penitentiary, in respect to convicts sentenced to hard labor in the penitentiary;

With pending amendments, was postponed and made the special order for to-morrow, immediately after reading the journal.

ADJOURNMENT.

At 2:30 o'clock p. m., on motion of Mr. McClellan, the Senate adjourned.

Yeas 18, nays 14.

Yeas—Messrs. Brooks of Macon, Brooks of Mobile, Farnham, Gardner, Griffin, Jackson, Jones, Luckie, McClellan, Moorman, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Ware—18.

Nays—Messrs. President, Billups, Bowles, Brown, Davidson, Grant, Hargrove, Mitchell, McSpadden, Norman, Oden, Orr, Titcomb, Troy—14.

TWENTY-FIRST DAY.

FRIDAY, December 8, 1882.

The Senate met pursuant to adjournment.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—33.

The journal of yesterday was read and approved.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
December 7, 1882.

Mr. President :

The House has concurred in the Senate substitute for the bill—

H. B. 163. To make an appropriation for the benefit of the sheriffs of this State.

Also, has originated and passed the following bills—

H. B. 423. To incorporate the inhabitants and territory formerly embraced within the corporate limits of the municipal corporation, since dissolved, styled the city of Selma, and to establish a local government therefor;

And ordered the same to the Senate forthwith, without engrossment.

Also, has originated and passed the following bills :

H. B. 281. To permanently locate the seat of justice in Blount county.

H. B. 453. To repeal an act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters at or within certain localities in this State, approved February 28, 1881, so far as the same relates to Beat No. 9, of Hale county.

H. B. 140. To provide for summary judgments against judges of probate and tax collectors.

D. W. McIVER, Clerk.

HOUSE MESSAGE.

The House bills, the titles of which are set forth in the foregoing House message,

Were severally read the first time and ordered to a second reading.

ENROLLED BILLS.

Mr. Orr, from committee on enrolled bills, reported the following bills correctly enrolled :

s. 63. To authorize the purchasers of the road bed of any turnpike, macadamized, planked, shelled, or other improved road previously belonging to and used as a toll road by any corporation created under the laws of Alabama for that purpose, to constitute themselves into a body politic and corporate.

s. 69. To regulate the trials of misdemeanors in Sumter county.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

December 8, 1882.

Mr. President :

The Speaker of the House having signed the following bills, your signature to the same is requested, viz :

H. B. 163. To make an appropriation for the payment of accounts of sheriffs which accrued during the two years next preceding the first day of October, 1882, for feeding and for removal of prisoners.

D. W. McIVER, Clerk.

SIGNING BILLS.

The President of the Senate, in the presence of the Senate,

immediately after the titles had been publicly read, signed the bills, the titles of which are set out in the above report from the enrolling committee and message from the House.

REPORTS FROM SPECIAL COMMITTEE.

By leave, Mr. Grant from a special committee, reported favorably the bill—

H. B. 390. To fix the time for holding the circuit courts in Calhoun county;

Which was read a third time and passed—yeas 32, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—32.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
Montgomery, Ala., December 8th, 1882.

Mr. President :

The Governor has approved the following bills which originated in the Senate :

s. 63. An act to authorize the purchase of the road bed of any turnpike, macadamized, planked, shelled, or other improved road, previously belonging to and used as a toll road by any corporation created under the laws of Alabama for that purpose, to constitute themselves into a body politic and corporate.

s. 69. An act to regulate the trials of misdemeanors in Sumter county.

Respectfully,
W. G. HUTCHESON,
Recording Secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
December 8th, 1882.

Mr. President :

The House has originated and passed the bills :

H. B. 457. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for interest on the public debt, and for the public schools.

H. B. 396. To provide for the security and protection of the public bridges in the county of Coffee.

And ordered the same to the Senate forthwith without engrossment.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The bills, the titles of which are set forth in the foregoing House message, were severally read the first time and ordered to a second reading.

The Senate proceeded to consider the

SPECIAL ORDER,

Which was the bill—

s. 144. To regulate the duties of the Warden and other officers of the penitentiary in respect to convicts sentenced to hard labor in the penitentiary ;

And the pending amendment was lost—yeas 9; nays 20.

Yeas—Messrs. President, Billups, Gardner, Griffin, Hargrove, Luckie, McSpadden, Street, Troy—9.

Nays—Messrs. Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Jackson, Jones, McClellan, Mitchell, Moorman, Oden, Orr, Pate, Rushing, Shelby, Smith, Titcomb, Ware—20.

Mr. Farnham offered an amendment, which was adopted, as follows :

Amend section 1 by adding after the word "convicts," in the second line (printed copy), the words "sentenced to the penitentiary."

Mr. Hargrove offered an amendment, which was adopted, as follows :

Amend by adding to section 2 these words, viz : "and it shall be the duty of the warden to make settlements and pay into the treasury all moneys on hand, at least semi-annually, except such as may be necessary, in the opinion of the Governor and Auditor, to pay the current expenses of the penitentiary for the ensuing six months."

Mr. Hargrove offered an amendment, which was adopted, as follows :

"Insert after "for" in the first line of section 16 (printed copy), the words "any officer of the Executive Department of the State."

Mr. McClellan offered an amendment.

Mr. Troy offered an amendment to the amendment, and

On motion of Mr. Gardner,

Both amendments were tabled.

Mr. Gardner moved to strike out, "or persons," in second line, 16th section (printed copy).

Adopted.

On motion of Mr. Troy, the Senate proceeded to consider the substitute, section by section, as in committee of the whole.

Mr. Farnham offered an amendment.

Mr. Griffin offered an amendment to the amendment.

On motion of Mr. Brewer, both amendments were tabled.

The first section of the substitute was adopted.

The Senate proceeded to consider the second section.

Mr. Thomas offered an amendment to section 2 ;

Which, on motion of Mr. Seay, was tabled.

Section 2 was adopted.

The Senate proceeded to consider section 3.

Mr. Hargrove offered the following amendment :

Strike out of the 3d and 4th lines of section 3 the words, "or committed under color thereof, or connected therewith," (printed copy.)

Mr. Jones moved to table.

Lost.

The amendment was adopted.

Mr. McSpadden offered an amendment, as follows :

Strike out the word "habitual" in line 2, section 3 (printed copy).

Mr. Troy moved to table the amendment.

Lost.

The amendment was adopted.

Mr. Troy offered an amendment, which was adopted, as follows :

Strike out of lines 5 and 6 (printed copy) the words, "caused by such removal."

Mr. Seay offered an amendment, viz :

Amend by striking out "willful" in the second line of section 3 (printed copy).

Adopted.

Section 3 was then adopted.

The Senate proceeded to consider section 4.

Mr. Jones moved to strike out of line 2, section 4, the words, "under contract with the warden and inspectors."

Mr. Troy offered a substitute therefor ;.

Which, on motion of Mr. Bowles, was tabled.

The amendment was adopted.

Mr. Troy offered an amendment, which,

On motion of Mr. Moorman, was tabled.

Section 4 was adopted.

The Senate proceeded to consider section 5.

Mr. Titcomb moved to reconsider the vote on the adoption of the amendment to strike out all after the words "convicted," in line 5, and inserting "if practicable."

On motion of Mr. McClellan, the motion to reconsider was tabled—yeas 28, nays 2.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Troy, Ware—28.

Messrs. Gardner and Titcomb voted no.

Mr. Luckie moved to amend section 5 by striking out the words, "person or persons," where they occur in the first line (printed copy), and insert in lieu thereof, "hirer of convicts."

Section 5 was adopted.

The Senate proceeded to consider section 6.

Mr. Troy offered an amendment, as follows :

Amend by striking out in line 4, section 6, "five years," and inserting ten years, and the contract must contain a stipulation that the same may be terminated at any time by the Warden and Inspectors, with the approval of the Governor."

Mr. Seay called for a division of the question, and moved that the question to strike out "five years" and insert "ten years" be first considered.

Carried.

The question being the adoption of the amendment to strike out and insert as above stated,

On motion of Mr. Seay it was tabled—yeas 18, nays 12.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Hargrove, McClellan, Mitchell, Moorman, Rushing, Shelby, Street, Ware—18.

Nays—Messrs. Billups, Griffin, Jones, Luckie, McSpadden, Norman, Oden, Orr, Seay, Smith, Titcomb, Troy—12.

Mr. Hargrove offered an amendment to the amendment.

Lost.

Mr. Troy offered an amendment to the amendment.

Mr. McSpadden moved to postpone the further consideration of the special order till January 31, 1883.

Lost.

Mr. Brewer moved to table both pending amendments.

On motion of Mr. Troy, the vote was taken upon them separately.

And his amendment to the pending amendment was tabled.

The question being the adoption of the second division of Mr. Troy's amendment, the amendment as follows :

Insert after "years," in line six, (printed copy), the words: "And the contract must contain a stipulation that the same may be terminated at any time by the warden and inspectors, with the approval of the Governor;"

Was agreed to—yeas 17, nays 14.

Yeas—Messrs. President, Billups, Davidson, Gardner, Grant, Griffin, Luckie, Moorman, McSpadden, Norman, Oden, Seay, Shelby, Smith, Street, Thomas, Troy, Ware—17.

Nays—Messrs. Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Hargrove, Jones, McClellan, Mitchell, Orr, Pate, Rushing, Titcomb—14.

Mr. Orr moved to strike out of section 6 the words, "as to residence."

Mr. Grant moved to lay on the table.

Carried.

Mr. Gardner moved to strike out the words, "and the warden shall reside at the place where all convicts, or the largest body of them are employed," and insert, "and that no person or firm shall hire fewer than twenty or more than fifty convicts."

Which, on motion of Mr. Billups, was tabled—yeas 23, nays 5.

Yeas—Messrs. Billups, Bowles, Brooks of Mobile, Brown, Farnham, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy—23.

Nays—Messrs. President, Brewer, Farnham, Grant and Ware—5.

Mr. Seay offered an amendment, as follows:

Amend by inserting after the word "worked," in the second line, (printed copy), the words, "in a body and under the same management."

And by striking out in the fifth line (printed copy), of said section, the words "or the largest body of them."

On motion of Mr. Mitchell, the further consideration of the special order was temporarily suspended to take up—

BILLS ON SECOND READING.

The bills—

s. 193. To prevent monopolies in the transportation of freight and to secure free and fair competition in the same;

s. 190. To authorize the sale of lands belonging to the estate of deceased persons, at private sale;

s. 188. To amend section 2468 of the Code;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

s. 189. To make it unlawful for the county superintendent of education, examining boards, or other persons to charge a teacher for examination as to qualifications to teach;

s. 196. To appropriate the money collected from licenses by the State for the sale of liquor within the corporate limits of the cities of Montgomery and Selma to public school purposes in said cities;

Were severally read a second time and referred to the committee on education.

The bills—

s. 195. To provide for the exchange of certain bonds and coupons attached, issued by the State of Alabama for new bonds;

H. B. 288. To authorize and require the Governor to destroy all uncurrent funds in the treasury, and all six per cent bonds that have not been issued;

Were severally read a second time and referred to the committee on finance.

The bills—

s. 191. To amend section 4303 of the Code;

s. 194. To amend section 2887 and 2888 of the Code;

Were severally read a second time and referred to the committee on revision of laws.

The bills—

s. 187. To remove the estate of Mary A. Harrell, deceased, from Butler county to Lowndes county ;

s. 192. To amend section one of an act approved February 24, 1881, "to make it a misdemeanor for the persons having the control of certain live stock to allow the same to run at large off their own premises, and to fix the punishment and to provide for the trial when such persons live in that portion of Barbour county in limits defined in this act;"

Were severally read a second time and referred to the committee on local legislation.

The bill—

s. 186. To permanently locate the seat of justice in Morgan county ;

Was read a second time and referred to the committee on municipal and county organizations.

The bill—

H. B. 280. To regulate the payment of sheriffs' fees for feeding prisoners in jail ;

Was read a second time and referred to a special committee, consisting of Messrs. Mitchell, Jones and Griffin, with leave to report at any time.

The bill—

H. B. 264. To authorize the people of Winston county to vote on the question of removing the county seat of said county, and to permanently locate the same ;

Was read a second time and referred to a special committee, consisting of Messrs. Orr, Pate and McClellan, with leave to report at any time.

REPORT FROM COMMITTEES.

By leave Mr. Pate, from the committee on local legislation, reported favorably the bill—

s. 162. For the relief of Mahaley O'Neal of Randolph county ;

Which was read a third time and passed—yeas 16, nays 15.

Yeas—Messrs. Brooks of Mobile, Brown, Gardner, Grant, Griffin, McClellan, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Smith, Street, Thomas, Ware—16.

Nays—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Davidson, Farnham, Hargrove, Jones, Luckie, Mitchell, Oden, Seay, Shelby, Troy—15.

By leave, Mr. Bowles from a special committee, reported favorably the bill—

H. B. 305. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, or cordials, or fruit preserved in alcoholic liquors, within five miles of Highland Home Institute, Crenshaw county, Alabama ;

Which was read a third time and passed—yeas 25, nays 1.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Orr, Rushing, Seay, Smith, Street, Thomas, Titcomb, Troy—25.

Mr. Luckie voted no.

RECESS.

At 2:15 p. m., the Senate took a recess till 4 p. m.

AFTERNOON SESSION.

The Senate re-assembled at 4 p. m.; a quorum present.

REPORT FROM COMMITTEE.

By leave, Mr. Brewer, from the committee on finance, reported favorably the bill—

s. 125. To sell a certain plantation belonging to the State, called the State convict farm, purchased of Thos. Williams ;

Which, on motion of Mr. Hargrove, was amended, as follows :

Add to section 4, the following : "And if at such sale the amount bid is not equal to the minimum value fixed by said commissioners, then such commissioners are hereby authorized and empowered to sell said farm at private sale, on the terms named in the third section of this act."

The bill was read a third time and passed—yeas 26, nays 1.

Yeas—Messrs. Bowles, Brewer, Brooks of Macon, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Ware—26.

Mr. Jackson voted no.

The bill was ordered forthwith to the House without engrossment.

SPECIAL ORDER.

The Senate resumed consideration, as in committee of the whole, of the substitute for the bill—

s. 144. To regulate the duties of the warden and other officers of the penitentiary in respect to convicts sentenced to hard labor in the penitentiary.

The question being upon the adoption of the pending amendment offered by Mr. Seay.

On motion of Mr. Luckie, the amendment was tabled—yeas 22, nays 6.

Yeas—Messrs. Bowles, Brewer, Brooks of Macon, Brown, Davidson, Farnham, Gardner, Hargrove, Jones, Luckie, McClellan, Mitchell, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Street, Titcomb, Ware—22.

Nays—Messrs. Billups, Griffin, Moorman, Seay, Smith, Troy—6.

Mr. Hargrove moved to amend section 6 by adding the word “practicable.”

Adopted.

Mr. Troy offered an amendment, as follows :

Insert in line three, (printed copy) “in one body, if practicable,” after the word “penitentiary;”

Which, on motion of Mr. Brooks of Macon, was tabled—yeas 18, nays 9.

Yeas—Messrs. Bowles, Brewer, Brooks of Macon, Brown, Davidson, Farnham, Gardner, Hargrove, Jones, Luckie, Mitchell, Norman, Oden, Pate, Rushing, Shelby, Street, Titcomb—18.

Nays—Messrs. Billups, Griffin, Moorman, McSpadden, Orr, Seay, Smith, Troy, Ware—9.

Section 6 was adopted.

The Senate proceeded to consider section 7.

Mr. Orr moved to strike out section 7.

On motion of Mr. Troy, the amendment was tabled—yeas 15, nays 12.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Griffin, Hargrove, Jones, Luckie, Mitchell, Moorman, Norman, Oden, Seay, Smith, Titcomb, Troy—15.

Nays—Messrs. Brewer, Brown, Davidson, Farnham, Gardner, McSpadden, Orr, Pate, Rushing, Shelby, Street and Ware—12.

Mr. Hargrove offered an amendment, as follows:

Amend section 7 by inserting after the word “resides,” in the first line, the word “permanently.”

Mr. Farnham moved to postpone the further consideration of the bill and substitute, and make them the special order for January 26th, 1883.

Lost.

The pending amendment was adopted.

Section 7 was adopted.

The Senate proceeded to consider section 8.

Mr. Hargrove offered an amendment, as follows:

Amend section 8 by inserting after the word “convenes,” in the second line, the word “printed.”

Adopted.

Section 8 was adopted.

Section 9 was next taken up.

Mr. Hargrove offered an amendment, as follows:

Amend section 9 by inserting after the word “and,” in the second line (printed copy) the words, “if this be at any other place than the penitentiary.”

Adopted.

Mr. McSpadden moved to amend by inserting after the word “health,” fifth line (printed copy), section 9, the words, “his former occupation.”

Mr. Luckie moved to table the amendment.

Lost—yeas 13, nays 14.

Yeas—Messrs. Bowles, Davidson, Hargrove, Jones, Luckie, McClellan, Mitchell, Norman, Oden, Smith, Titcomb, Troy, Ware—13.

Nays—Messrs. Billups, Brewer, Brown, Farnham, Gardner, Grant, Griffin, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Street—14.

The amendment was lost.

Mr. Gardner offered an amendment, as follows:

Insert after “examination,” in fourth line, section 9,

(printed copy) the words, "when the convict is sent to the place of the residence of the physician."

Mr. Bowles offered as a substitute for the amendment:

Strike out all after the word "necessary," in line four, also, all line five, except "he shall report," in section 9; (printed copy).

Adopted. And the amendment, as substituted, was adopted.

Mr. Farnham moved to adjourn.

Lost—yeas 11, nays 17.

Yeas—Messrs. Brooks of Macon, Farnham, Gardner, Grant, Griffin, Luckie, Moorman, McSpadden, Pate, Rushing, Shelby—11.

Nays—Messrs. Billups, Bowles, Brewer, Brown, Davidson, Hargrove, Jones, McClellan, Mitchell, Oden, Orr, Seay, Smith, Street, Titcomb, Troy, Ware—17.

Mr. Gardner offered an amendment, as follows:

Strike out "monthly," in the sixth line, and insert "as often as ordered by the warden and inspectors."

Mr. Troy offered a substitute therefor, as follows:

Insert after "monthly," in sixth line, (printed copy) the words, "and oftener, if required."

Adopted.

Mr. McSpadden moved to recommit the bill and substitute to same committee.

Lost.

Mr. McSpadden moved to recommit to the committee on the penitentiary.

Lost—yeas 6, nays 21.

Yeas—Messrs. Brown, Farnham, Gardner, McSpadden, Rushing, Shelby—6.

Nays—Messrs. Billups, Bowles, Brewer, Brooks of Macon, Davidson, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, Oden, Orr, Seay, Smith, Street, Titcomb, Troy, Ware—21.

Mr. Brooks of Macon, moved to adjourn.

Lost—yeas 8, nays 19.

Yeas—Messrs. Bowles, Brooks of Macon, Farnham, Gardner, Grant, Moorman, McSpadden, Rushing—8.

Nays—Messrs. Billups, Brewer, Brown, Davidson, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Oden, Orr, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—19.

Mr. Brewer moved to table the substitute.

Lost.

The substitute was adopted. And the amendment, as substituted, was adopted.

Mr. Bowles offered an amendment :

Add to section 9, the words, "and the physician shall be allowed actual traveling expenses incurred in visiting the convict camps in the State."

Adopted.

Section 9 was adopted.

Mr. Brown moved to adjourn.

Lost—yeas 7, nays 20.

Yeas—Messrs. Brewer, Brown, Farnham, Gardner, Grant, Moorman, McSpadden—7.

Nays—Messrs. Billups, Bowles, Brooks of Macon, Davidson, Griffin, Hargrove, Jones, Luckie, Mitchell, Norman, Oden, Orr, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—20.

Mr. Brewer moved to amend section 10 by adding at the end of the last line (printed copy) these words, to-wit :

"But no convict, sentenced to the penitentiary or to hard labor for the county, shall be worked on any railroad or in any coal mine, or iron mine in this State, or out of it, and any violation of this provision by any contractor for the hire of convicts shall be deemed a misdemeanor, and such violation of this provision shall render the contract of such contractor null and void."

On motion of Mr. Luckie, the amendment was tabled—yeas 25, nays 3.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brown, Davidson, Farnham, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Oden, Orr, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—25.

Messrs. Brewer, Gardner and Shelby voted no.

Mr. Gardner offered an amendment, which,

On motion of Mr. Troy, was tabled.

Mr. Grant moved to postpone the special order till January 26th, 1883.

Lost—yeas 8, nays 17.

Yeas—Messrs. Brown, Farnham, Gardner, Grant, Griffin, McSpadden, Orr, Rushing—8.

Nays—Messrs. Billups, Bowles, Davidson, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, Oden, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—17.

Mr. Brewer offered an amendment.

Lost.

Mr. Rushing moved to adjourn.

Lost.

Mr. Gardner offered an amendment, which,

On motion of Mr. Troy, was tabled.

Mr. Grant moved to postpone the special order till January 27th, 1883.

Lost.

Mr. Brooks of Macon, moved to adjourn.

Lost.

Section 10 was adopted.

Section 11 was next considered.

Mr. Gardner offered an amendment.

Lost.

Section 11 was adopted.

Section 12 was also adopted.

Section 13 was also adopted.

Section 14 was taken up.

Mr. Shelby moved to amend by striking out \$500 in 7th line, and \$750 in 8th line (printed copy), and inserting \$200.

Mr. Jones moved, as a substitute, to strike out section 14, line 7 (printed copy,) from "the" to "dollars" in 8th line, and insert "the salaries of the inspectors shall be \$800."

On motion of Mr. McClellan, the substitute was tabled.

Mr. McClellan offered a substitute for Mr. Shelby's amendment, as follows :

"Provided, That where the convicts are congregated at three, or a less number of places, the salaries of the inspectors shall be two hundred and fifty dollars, and three hundred and fifty dollars for the president of the Board."

Adopted.

The amendment, as substituted, was lost—yeas 10, nays 14.

Yeas—Messrs. Bowles, Brown, Grant, McClellan, Mitchell, Orr, Rushing, Smith, Street, Ware—10.

Nays—Messrs. Billups, Brooks of Macon, Davidson, Farnham, Griffin, Hargrove, Jones, Luckie, Moorman, McSpadden, Oden, Seay, Shelby, Troy—14.

Mr. Farnham moved to amend by striking out "except the president, who shall receive \$750," from lines 7 and 8 (printed copy), section 14.

Carried.

Mr. Shelby offered an amendment: Strike out \$500 and insert \$300, in line 7.

Lost—yeas 8, nays 15.

Yeas—Messrs. Brown, McClellan, Moorman, McSpadden, Orr, Rushing, Shelby, Street—8.

Nays—Messrs. Billups, Bowles, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, Luckie, Mitchell, Oden, Seay, Smith, Titcomb, Troy—15.

Section 14 was adopted.

Section 15 was taken up.

Mr. Smith offered an amendment, which was adopted, as follows:

Amend section 15 by striking out all of the section after the word "and," in line 4, and insert "shall see that such convicts are properly clothed and fed."

Section 16 was adopted.

Section 17 was adopted.

Section 18 was adopted.

Section 19 was adopted.

Section 20 was adopted.

Section 21 was adopted.

Section 22 was adopted.

Section 23 was adopted.

The substitute was adopted, with caption, as follows:

s. 144. To regulate the hiring and treatment of State and county convicts.

Yeas 19, nays 5.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brown, Davidson, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, Norman, Seay, Smith, Street, Titcomb, Troy—19.

Nays—Messrs. Farnham, McSpadden, Orr, Rushing, Shelby—5.

Mr. Grant moved, by unanimous consent, to amend by adding to section 17 the words: "And no convict shall be required to work more than ten hours a day."

Which, on motion of Mr. Troy, was tabled—yeas 11, nays 10.

Yeas—Messrs. Bowles, Davidson, Griffin, Hargrove, Mitchell, Oden, Seay, Smith, Street, Thomas, Troy—11.

Nays—Messrs. Billups, Brooks of Macon, Brown, Grant, Jones, Luckie, Moorman, McSpadden, Orr, Shelby, Titcomb—11.

The bill was read a third time and passed—yeas 19, nays 3.

Yeas—Messrs. Billups, Bowles, Brown, Davidson, Grant,

Griffin, Hargrove, Jones, Luckie, Mitchell, Moorman, Norman, Oden, Rushing, Seay, Smith, Street, Titcomb, Troy—19.

Nays—Messrs. McSpadden, Orr, Shelby—3.

The bill was ordered to the House forthwith without engrossment.

At 8:55 p. m., on motion of Mr. Hargrove, the Senate adjourned.

TWENTY-SECOND DAY.

SATURDAY, December 9, 1882.

The Senate met pursuant to adjournment.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—33.

The journal of yesterday was read and approved.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
December 9, 1882.

Mr. President :

The Speaker of the House having signed the following bills, your signature to the same is requested, viz :

H. B. 390. To fix the time of holding the circuit courts in Colhoun county ;

H. B. 305. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or cordials, or fruit preserved in alcoholic liquors, within five miles of Highland Home Institute, Crenshaw county, Alabama.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the above House message.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
December 9, 1882.

Mr. President :

The House has passed, without amendment, the bill—

s. 53. To repeal an act to prohibit the sale, disposing of spirituous, vinous or malt liquors, or intoxicating beverages and bitters, within the limits of the counties of Monroe, Escambia and Pickens, approved February 23, 1881, so far as it relates to the county of Pickens.

And has originated and passed, and ordered forthwith to the Senate, the bills—

H. B. 201. To amend an act to amend section 1544 of the Code of Alabama, so far as the same relates to the counties of Pike, Butler and Coffee.

H. B. 420. To pay W. J. B. Padgett and Robert Hasson, Doorkeepers of the Senate and House of Representatives, respectively, for certain articles furnished the Senate and House of Representatives, and for repairs.

H. B. 341. To regulate the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, or patent medicines having alcohol as a base, in the county of Calhoun.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set forth in the foregoing message from the House, were severally read a first time and ordered to a second reading.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
STATE OF ALABAMA,
Montgomery, December 9, 1882.

Mr. President :

I am directed by His Excellency, the Governor, to communicate to the Senate a message in writing.

W. G. HUTCHESON,
Recording Secretary.

REPORTS FROM COMMITTEES.

By leave, Mr. Brooks of Mobile, from the finance committee, reported favorably the bill—

H. B. 269. To authorize the county of Mobile to make and issue its bonds to a limited amount for a certain specific purpose ;

Which was read a third time and passed—yeas 31, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—31.

Also, favorably the bill—

H. B. 151. For the relief of Elisha B. Lott and his securities, as tax collector of Mobile county.

Mr. Brewer submitted the following minority report :

Mr. President :

The undersigned, a minority of the committee on finance and taxation of the Senate, respectfully asks leave to dissent from the favorable report on the bill for the relief of Elisha B. Lott, tax collector of Mobile county, for the reasons, to-wit :

1. That said tax collector was in default to the State at the time of the bringing of the suit from the results of which he asks this relief, and that the sustaining of a public official in the violation of a plain law of the State requiring him to make his settlements at a specific time, is a dangerous precedent, and one utterly unwarranted.

2. That other tax collectors, in similar cases, are required to pay interest when they are sued, and there is no reason for an exception in this case.

3. That in suing to recover from the said Lott, the State has been at a very considerable expense, to-wit : the sum of twenty-one hundred dollars, besides the costs, and that the result of the passage of this bill will be that the State is committed to the payment of the said sums of money by no fault of its own, but by the fault of the tax collector who is by this bill proposed to be relieved.

And this minority respectfully asks that this report be spread on the journals of the Senate, should the bill pass,

as a minority report, and as a protest, in the interest of the taxpayers of the the State; against such legislation.

Respectfully,

W. BREWER.

Mr. Troy moved to postpone both reports until January 27th, 1883.

Lost.

Mr. Seay moved to postpone the bill until January 26th, 1883.

Lost.

Mr. Troy moved to indefinitely postpone the bill.

Lost—yeas 8, nays 25.

Yeas—Messrs. Brewer, Jackson, McClellan, Oden, Seay, Shelby, Thomas, Troy—8.

Nays—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Smith, Street, Titcomb, Ware—25.

Mr. Troy offered an amendment, and pending its consideration,

On motion of Mr. Jones, the bill was postponed and made a special order for January 29th, 1883.

By leave, Mr. Mitchell, from a special committee, reported favorably, with an amendment, the bill—

H. B. 280. To regulate the payment of sheriffs' fees for feeding prisoners in jail.

The amendment was adopted, as follows:

Amend by inserting the words "and paid" after the word "proved," on line 7 of section 1, and by inserting the words "and paying" after the words "proving," on line 10 of section 1.

The bill was read a third time and passed—yeas 27, nays 2.

Yeas—Messrs. President, Billups, Bowles, Brooks of Mobile, Farnham, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—27.

Messrs. Davidson and Gardner voted no.

The bill was ordered forthwith to the House.

On motion of Mr. Seay, the regular order was suspended, to consider

BILLS ON SECOND READING.

The bill—

H. B. 423. To incorporate the inhabitants and territory formerly embraced within the corporate limits of the municipal corporation, since dissolved, styled the city of Selma, and to establish a local government therefor;

Was read a second time and referred to the committee on municipal and county organizations.

The bill—

H. B. 140. To provide for summary judgments against judges of probate and tax collectors;

Was read a second time and referred to the judiciary committee.

The bill—

H. B. 453. To repeal an act to prohibit the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors, or intoxicating bitters, at or within certain localities in this State, approved February 28, 1881, so far as the same relates to beat number nine (9), of Hale county;

Was read a second time and referred to the committee on temperance.

The bill—

H. B. 396. To provide for the security and protection of the public bridges in Coffee county;

Was read a second time and referred to a special committee of three, consisting of Messrs. Rushing, Farnham and McSpadden, with leave to report at any time.

The bill—

H. B. 457. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for interest on the public debt, and for the public schools;

Was read a second time and referred to the committee on finance.

The bill—

H. B. 281. To permanently locate the seat of justice in Blount county;

Was read a second time and referred to a special committee of three, consisting of Messrs. Orr, Brown and McClellan, with leave to report at any time.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
December 9, 1882.

Mr. President :

The House has originated and passed, and ordered to the Senate forthwith, without engrossment, the bill :

H. B. 379. To provide for the establishing of a separate school district, to be known as the Peabody School District in Lee and Russell counties, and for the appointment of a board of trustees for said school district with certain powers and privileges.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bill, the titles of which are set out in the foregoing House message, was read a first time and ordered to a second reading.

REPORT FROM COMMITTEE.

By leave, Mr. Titcomb, from the committee on local legislation, reported favorably the bill—

H. B. 387. To vacate and annul the charter and dissolve the corporation of the city of Selma, and to provide for the application of the assets thereof to the payment of the debts thereof.

The bill was read a third time, and pending the consideration thereof, the hour of 2 o'clock arrived, and the Senate took a recess till 4 o'clock p. m.

AFTERNOON SESSION.

The Senate re-assembled at 4 p. m., a quorum present.

REPORTS FROM COMMITTEES.

The bill—

H. B. 387. To vacate and annul the charter and dissolve the corporation of the city of Selma, and to provide for the

application of the assets thereof, to the payment of the debts thereof;

Was taken up and passed—yeas 16, nays 2.

Yeas—Messrs. Brooks of Mobile, Davidson, Gardner, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Street, Titcomb, Ware—16.

Messrs. Farnham and McClellan voted no.

By leave, Mr. Rushing, from a special committee, reported favorably the bill—

H. B. 170. To provide for an election by the legal electors of Dale county on the question of prohibition or no prohibition of the making, or selling, or otherwise disposing of any spirituous or malt liquors or intoxicating bitters of any kind, in any quantity, within Dale county, the same being prohibited by an act entitled an act to prohibit the making, selling, or otherwise disposing of spirituous or malt liquors or intoxicating bitters of any kind, in any quantity, within the counties of Dale and Henry, approved February 26th, 1881, except as provided in said act.

The bill was read a third time and passed—yeas 20, nays 2.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Mobile, Davidson, Gardner, Griffin, Hargrove, McClellan, Mitchell, Moorman, McSpadden, Norman, Pate, Rushing, Seay, Smith, Street, Titcomb, Ware—20.

Messrs. Orr and Troy voted no.

By leave, Mr. Titcomb, from the committee on local legislation, reported favorably the bill—

H. B. 118. To make the fees of bonded constables of Marengo county the same as the sheriff, when performing the same services:

The bill was read a third time and passed—yeas 22, nays 2.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Street, Titcomb, Ware—22.

Messrs. Shelby and Troy voted no.

Also, favorably the bill—

H. B. 238. To repeal an act entitled an act to provide a fund for the payment of the witnesses for the State in the circuit and county courts of Tuscaloosa county, and prescribe their compensation, approved March 1, 1881:

Which was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks

of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby, Street, Titcomb, Ware—25.

On motion of Mr. Troy,

THE SPECIAL ORDER,

Which was the bill—

s. 115. To authorize application to be made to the Congress of the United States to appropriate the sum of \$10,388,072.10—the amount of tax on raw cotton collected in this State, as a public school fund for this State, and to provide for the investment of said fund ;

Was postponed and made a special order for January 25th, 1883.

RESOLUTIONS.

By leave, Mr. Brooks of Mobile, offered the following resolution :

Resolved, That the Senate, before recess, shall not consider any bill originating in the Senate till all the bills from the House are disposed of.

Adopted.

Mr. Farnham, by leave, offered the following resolution :

Resolved, That hereafter the afternoon sessions of the Senate shall adjourn promptly at six o'clock, p. m.

Adopted.

By leave, Mr. Troy offered a resolution, which was adopted, as follows :

Resolved, That the rule in regard to smoking in the lobby be suspended during the afternoon sessions—yeas 21, nays 7.

Yeas—Messrs. Billups, Brewer, Farnham, Gardner, Grant, Griffin, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—20.

Nays—Messrs. President, Bowles, Brooks of Mobile, Hargrove, Orr, Pate, Rushing—7.

INTRODUCTION OF BILLS.

Bills were introduced :

By Mr. Mitchell—

s. 199. To limit the compensation of judges of the county court of Russell county.

By Mr. Thomas—

s. 200. To amend section 7 of an act approved February 13, 1879, so as to include Barbour county.

Which were severally read the first time and ordered to a second reading.

REPORTS FROM COMMITTEES.

By leave, Mr. Troy, from the committee on federal relations, reported favorably the bill—

H. B. 153. To prevent the taking and catching of oysters within the waters of this State by persons who are not residents of the State, and to provide penalties for violations of this act, and proceedings to enforce the same;

Which was read a third time and passed—yeas 26, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Shelby Smith, Street, Thomas, Titcomb, Troy, Ware—26.

By leave, Mr. Orr, from a special committee, reported favorably the bill—

H. B. 264. To authorize the people of Winston county to vote on the question of removing the county seat of said county, and to permanently locate the same;

Which was read a third time and passed—yeas 28, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby, Street, Thomas, Ware—28.

By leave, Mr. Titcomb, from the committee on local legislation, reported favorably the bill—

H. B. 133. For the relief of James B. Farmer, sheriff of Calhoun county;

Which was read a third time.

Mr. Troy moved to indefinitely postpone the bill.

Lost.

On motion of Mr. Grant, the bill was recommitted to same committee.

By leave, Mr. Brewer, from the committee on internal improvements, reported favorably the bill—

H. B. 154. To regulate the buying and selling of oysters in the shell by measure;

Which was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Shelby, Smith, Street, Titcomb, Troy, Ware—25.

ADJOURNMENT.

The hour of 6 o'clock having arrived, the Senate adjourned.

TWENTY-THIRD DAY.

MONDAY, December 11, 1882.

The Senate met pursuant to adjournment.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—33.

The journal of yesterday was read and approved.

CALL OF THE DISTRICTS.

Bills were introduced :

By Mr. Seay—

s. 203. To amend the charter of the town of Greensboro, and to confer additional powers and duties on the mayor and council of Greensboro.

By Mr. Norman—

s. 204. To change the time of holding the circuit courts of Lee and Bullock counties.

By Mr. Brewer (by request)—

s. 206. To repeal section two (2) of an act to amend sections 4330 and 4331 of the Code, so far as the same applies to the county of Lowndes, approved February 7, 1877.

By Mr. Grant—

s. 208. To amend an act to incorporate the town of Da-

visville, in Calhoun county, Alabama, approved December 8, 1880.

Which were severally read a first time and ordered to a second reading.

PETITIONS.

Petitions were presented :

By Mr. Shelby—

s. 201. Petitions of citizens of Madison county to repeal the act to regulate the trial of misdemeanors in said county ;
Which was referred to the judiciary committee.

By Mr. Seay—

s. 202. A protest of influential citizens of Hale county against the extension of the Canebrake Agricultural District, in Hale county ;

Which was referred to the committee on local legislation.

By Mr. Norman—

s. 205. Petitions for repeal of the prohibition laws as to Suspension and Greenwood beats, in Bullock county ;

Which were referred to the committee on temperance.

By Mr. Gardner—

s. 207. Petition of certain citizens of Dallas county with regard to liquor prohibition in Dallas county ;

Which was referred to the committee on temperance.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
December 11, 1882.

Mr. President :

The House has concurred in the Senate amendments to the bills—

H. B. 280. To regulate the payment of sheriffs' fees for feeding prisoners in jail.

H. B. 118. To make the fees of bonded constables of Marengo county the same as the sheriff's when performing the same services.

D. W. McIVER, Clerk.

ENROLLED BILLS.

Mr. Orr, from the committee on enrolled bills, reported the following bill correctly enrolled :

s. 53. To repeal an act to prohibit the sale or disposing of spirituous, vinous or malt liquors, or intoxicating beverages or bitters, within the limits of the counties of Monroe, Escambia and Pickens, approved February 23, 1881, so far as it relates to the county of Pickens.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
December 11, 1882.

Mr. President :

The Speaker of the House having signed the following bills and joint memorial, your signature thereto is requested, viz :

H. B. 280. To regulate the payment of sheriffs' fees for feeding prisoners in jail.

H. B. 154. To regulate the buying and selling of oysters in the shell by measure.

H. B. 153. To prevent the taking and catching of oysters within the waters of this State by persons who are not residents of the State, and to provide penalties for violations of this act, and proceedings to enforce the same.

H. B. 238. To repeal an act entitled "An act to provide a fund for the payment of the witnesses for the State in the circuit and county courts of Tuscaloosa county, and prescribe their compensation," approved March 1, 1881.

H. B. 387. To vacate and annul the charter and dissolve the corporation of the city of Selma, and to provide for the application of the assets thereof to the payment of the debts thereof.

H. B. 118. To make the fees of bonded constables of Marengo, Barbour, Monroe and Greene counties, the same as the sheriffs, when performing the same services ;

Joint memorial asking aid from the Federal Government for educational purposes.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills and the joint memorial, the titles of which are set forth in the foregoing report of the enrolling committee and the House message.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., December 11, 1882.

Mr. President :

The Governor has approved the following bill, which originated in the Senate :

s. 53. An act to repeal an act to prohibit the sale, disposing of spirituous, vinous or malt liquors, or intoxicating beverages, or bitters within the limits of the counties of Monroe, Escambia and Pickens, approved February 23d, 1881, so far as it relates to the county of Pickens.

I am also directed by his Excellency, the Governor, to communicate to the Senate a message in writing.

Respectfully,

W. G. HUTCHESON,
Recording Secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
December 11, 1882.

Mr. President :

The House has passed, without amendment, the bills—

s. 120. To amend sections 1376, 1380, 1381 and 1383 of the Code ;

s. 1. To repeal an act to prohibit the manufacture, or sale or other disposition of vinous, spirituous or malt, or other intoxicating liquors, within the limits of the counties of Limestone and Clarke, in this State, approved February 24, 1881, so far as the same relates to Limestone county ;

s. 48. To prohibit the sale, or disposing of spirituous, vinous or malt liquors, or other intoxicating beverages, in the county of Wilcox, on and after the first day of April, 1883 ;

s. 58. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, or beverages, within five miles of the town of Bremen, in Cullman county, Alabama ;

s. 70. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, or beverages, within three miles of Soule's chapel church, in Pickens county ;

s. 12. To prohibit the sale, bartering or giving away of spirituous, vinous or malt liquors, in the town of Glennville, in Russell county, Alabama, or within five miles, in any direction, of the "Methodist Episcopal Church South," in said town;

s. 119. To amend sections 1385, 1388, 1393, 1395, 1396 and 1399 of the Code;

Also, has adopted a joint resolution, herewith sent, relative to the employment of a clerk by the joint committee of the revision of the revenue laws.

The House has also originated and passed the following bills, viz:

H. B. 323. To amend section 1544 of the Code;

H. B. 397. To amend section three (3) of an act entitled an act "To incorporate the town of Cherokee in Colbert county, approved December 7, 1871.

D. W. McIVER, Clerk.

HOUSE MESSAGE.

The House bills, the titles of which are set out in the foregoing House message, were severally read the first time and ordered to a second reading.

The joint resolution relative to the employment of a clerk by the joint committee on the revision of the revenue laws was concurred in.

BILLS ON SECOND READING.

The bills—

s. 199. To limit the compensation of judges of the county court of Russell county;

s. 200. To amend section 7 of an act, approved February 13, 1879, so as to include Barbour county;

Were severally read a second time and referred to the committee on revision of laws.

The bill—

H. B. 379. To provide for the establishing of a separate school district to be known as the Peabody school district, in Lee and Russell counties, and for the appointment of a board of trustees for said school district, with certain powers and privileges;

Was read a second time and referred to a special committee, consisting of Messrs. Harrison, Mitchell and Bowles.

The bill—

H. B. 341. To regulate the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, or patent medicines having alcohol as a base, in the county of Calhoun;

Was read a second time and referred to a special committee, consisting of Messrs. Grant, Gardner and Davidson.

The bill—

H. B. 201. To amend an act to amend section 1544 of the Code of Alabama, so far as the same relates to the counties of Pike, Butler and Coffee;

Was read a second time and referred to a special committee, consisting of Messrs. Bowles, Farnham and Rushing.

The bill—

H. B. 420. To pay W. J. B. Padgett and Robert Hasson, doorkeepers of the Senate and House of Representatives, respectively, for certain articles furnished the Senate and House of Representatives and for repairs;

Was read a second time and referred to the committee on finance.

REPORTS OF COMMITTEES.

By leave,

Mr. Brooks of Mobile, from the committee on finance, reported favorably, with amendment, the bill—

H. B. 457. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for interest on public debt, and for the public schools.

The amendments were read as follows:

1. Amend section 13 by adding the words, "for each year."

2. Amend section 26 by striking out all after the words "offices," and inserting as follows: "for the year ending September 30, 1883, twenty-five hundred dollars, and for the year ending September 30, 1884, fifteen hundred dollars."

3. Amend section 34; strike out "twenty-five hundred" and insert "one thousand."

4. Strike out sections 42, 43 and 44.

The first and second amendments were adopted.

Mr. Troy moved to lay the third amendment on the table.

Lost—yeas 3, nays 21.

Yeas—Messrs. Farnham, Hargrove, Troy—3.

Nays—Messrs. Brewer, Brooks of Mobile, Davidson, Gardner, Grant, Griffin, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—21.

The 4th amendment was adopted.

Mr. Norman offered an amendment, which,

On motion of Mr. Seay, was tabled.

The bill was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Seay, Smith, Street, Titcomb, Troy, Ware—24.

Also, reported favorably, with an amendment, the bill—

H. B. 288. To authorize and require the Governor to destroy all uncurrent funds in the treasury, and all six per cent. bonds that have not been issued.

The amendment was adopted, as follows:

Strike out of sections one and two, the words "order a warrant drawn," and insert "direct the Auditor to draw his warrant."

The bill was read a third time and passed—yeas 27, nays 0.

Yeas—Messrs. Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy, Ware—27.

Also, favorably the bill—

H. B. 236. To amend an act entitled an act to provide for additional accommodations for the insane of Alabama, approved February 26th, 1881;

Which was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, Norman, Orr, Rushing, Seay, Smith, Street, Titcomb, Troy—25.

By leave, Mr. Billups, from the temperance committee, reported favorably the bill—

H. B. 453. To repeal an act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, at or within certain localities

in this State, approved February 28th, 1881, so far as the same relates to beat number nine (9) of Hale county ;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Moorman, McSpadden, Norman, Rushing, Seay, Smith, Street, Troy—23.

By leave, Mr. Rushing, from a special committee, reported favorably the bill—

H. B. 396. To provide for the security and protection of the public bridges in the county of Coffee ;

Which was read a third time and passed—yeas 25, nays 1.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Smith, Street, Ware—25.

Mr. Troy voted no.

Mr. Orr, from a special committee, reported favorably the bill—

H. B. 281. To permanently locate the seat of justice in Blount county ;

Which was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Smith, Troy Ware—24.

Mr. Troy, from the committee on federal relations, reported favorably the—

s. 136. Joint resolution relating to the proceeds of public lands, lying within the State of Alabama, located with military land warrants ;

Which was read and adopted, and ordered to the House forthwith without engrossment.

Mr. Farnham, from the committee on industrial resources, reported a substitute for the bill—

s. 175. To repeal an act to authorize the commissioners court, or court, or board of county revenues of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Antauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry, to establish or abolish districts in which stock may be prevented from running at large, so far as relates to Perry county.

The substitute was adopted, with caption, as follows :

s. 175. To repeal an act to authorize the commissioners court, or court, or board of county revenues of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence, and Perry, to establish or abolish districts in which stock may be prevented from running at large, approved February 28th, 1881, except in certain cases, so far as the county of Perry is concerned.

The bill was read a third time and passed—yeas 28, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Smith, Street, Thomas, Titcomb, Troy, Ware—28.

On motion of Mr. Billups, at 1 p. m. the Senate went into executive session, and the doors were closed.

At 1:45 p. m. the executive session being dissolved, the Senate resumed the consideration of

THE REGULAR ORDER OF BUSINESS.

By leave, Mr. Farnham, from the judiciary committee, reported favorably the bill—

H. B. 330. To repeal an act to establish a new charter for the city of Opelika, and amendments thereof ;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. Bowles, Brewer, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Luckie, McClellan, Mitchell, McSpadden, Norman, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—23.

By leave, also, favorably the bill—

H. B. 347. To establish a new charter for the city of Opelika ;

Which was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. Bowles, Brewer, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Rushing, Seay, Smith, Street, Thomas, Titcomb, Troy, Ware—25.

By leave, Mr. Billups, from the committee on temperance, reported favorably the bill—

H. B. 406. To amend an act to prohibit the sale or giving away of any vinous, spirituous or malt liquors in the town of

Dayton, or within six miles of said town, approved December 4th, 1880 ;

Which was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks, Macon, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Moorman, McSpadden, Oden, Pate, Rushing, Smith, Street, Titcomb, Troy, Ware—24.

Mr. Mitchell, from the committee on the revision of laws, reported favorably the bill—

H. B. 111. To repeal an act entitled an act in relation to trials of misdemeanors in Tuscaloosa and other counties therein named, so far as Lamar county is concerned ;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Seay, Shelby, Smith, Street, Titcomb, Troy—23.

Also, favorably, with amendments, the bill—

H. B. 5. To increase the fees of constables in Barbour, Jefferson, Calhoun, Wilcox, Talladega, Greene, Dallas, Dale, Butler, Autauga, Hale, Jackson, Pike, Limestone, Sumter, Shelby, Perry, Cullman, Geneva, Franklin, Colbert, Russell, Lowndes, St. Clair, Chambers, Marshall, Blount, Madison, Coffee, Bullock and Henry.

The amendments were adopted, as follows :

Amend by striking out the words "Madison and Pike," where they occur in the bill, and by inserting "the counties of" after the word "in" in the 5th line, and by inserting the words, "in the counties" after the word "constable," in the 12th line of the bill.

Mr. Mitchell offered an amendment, as follows :

Strike out "Barbour," where it occurs in the bill.

Adopted.

The bill was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Seay, Smith, Street, Titcomb—20.

LEAVE OF ABSENCE.

Mr. McSpadden was granted leave of absence till 29th of January, 1883.

AMENDMENT TO RULES.

By leave, Mr. Troy offered an amendment to rule 17, requiring messages from the Governor demanding an executive session to be considered forthwith ;

Which was referred to the judiciary committee.

RECESS.

The hour of 2 o'clock having arrived, the Senate took a recess till 4 p. m.

AFTERNOON SESSION.

The Senate re-assembled at 4 p. m., a quorum present.

REPORTS OF COMMITTEES.

Mr. Titcomb, from the committee on local legislation, reported favorably the bill—

H. B. 306. To require stock buyers and shippers in the county of Sumter to file a list and description of all stock bought by them, under oath, with a justice of the peace, and to require justices of the peace to keep a record of the same for the inspection of the public ;

Which, on motion of Mr. Hargrove, was postponed and made the special order for January 30th, 1883.

Mr. Pate, from same committee, reported favorably the bill—

H. B. 70. To allow the sheriff of Crenshaw, Conecuh and Chilton counties the same compensation for executing process of any kind in the justice court as is now allowed by law for same service in circuit court ;

On motion of Mr. Seay, the counties of Hale, Wilcox, Calhoun, Tuscaloosa, Bibb, Butler, Pickens and Marengo, were inserted in the bill, and the word "county" stricken out, and "counties" inserted.

On motion of Mr. Bowles, the bill was postponed and made a special order for January 27, 1883.

Mr. Hargrove, from the judiciary committee, reported favorably, with an amendment, the bill—

H. B. 290. To regulate the drawing and empanneling of grand and petit juries in Dallas county ;

The amendment was adopted, as follows :

"Amend section 3 so as to exempt the chiefs of fire departments, all officers, engineers and hostlers of any organized fire company in active service, whose names shall be certified to the clerks of said circuit and city courts of said county, and all justices of the peace, and bonded constables in said county, and all ferrymen, and all active firemen, members of a regularly organized fire company, and all exempt firemen, who have actually served as active firemen for the time prescribed by law, whose names must be certified, under oath, by the chief of the fire department, to the jury commissioners."

And the bill was read a third time and passed—yeas 23, nays 1.

Yeas—Messrs. Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, Norman, Orr, Rushing, Smith, Street, Titcomb, Troy and Ware—23.

Mr. Shelby voted nay.

Also, favorably the bill—

H. B. 2. To pay the costs in the impeachment trial of Wiley E. Jones, probate judge of Barbour county ;

Which, on motion of Mr. Billups, was postponed and made a special order for January 27th, 1883.

Also, favorably, with an amendment, the bill—

H. B. 3. To confer upon notaries public and *ex-officio* justices of the peace similar powers to those possessed by justices of the peace to issue attachments returnable to the circuit court.

The amendment was adopted, as follows :

Amend by inserting after the word "court," in next to the last line, the words, "or any city court ;"

The bill was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Smith, Street, Troy—25.

Also, favorably, the bill—

H. B. 47. To repeal an act entitled an act to regulate the

publication of legal notices in the counties of Lamar and Fayette, approved February 4th, 1879 ;

Which was read a third time and passed—yeas 27, nays 0.
Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy—27.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
December 11, 1882.

Mr. President :

The House has concurred in the Senate amendments to the bill—

H. B. 5. To increase the fees of constables in Barbour, Jefferson, Calhoun, Wilcox, Talladega, Greene, Dallas, Dale, Butler, Autauga, Hale, Jackson, Pike, Limestone, Sumter, Shelby, Perry, Cullman, Geneva, Franklin, Colbert, Russell, Lowndes, St. Clair, Chambers, Marshall, Blount, Madison, Coffee, Bullock and Henry ;

H. B. 290. To regulate the drawing and empanneling of grand and petit juries in Dallas county ;

Also,

Joint memorial to Congress relating to the disposal of mineral lands in Alabama ;

Also,

s. 136. Joint memorial relating to the proceeds of public lands lying within the State, located with military land warrants ;

Also,

H. B. 457. To make appropriations for the ordinary expenses of the Executive, Legislative and Judicial departments of the State, for interest on the public debt, and for the public schools.

H. B. 288. To authorize and require the Governor to destroy all uncurrent funds in the treasury, and all six per cent. bonds that have not been issued ;

Also, has passed without amendment, the bill—

s. 19. To amend section 580 of the Code ;

And has amended, as therein shown, and passed the bill—

s. 125. To sell a certain plantation belonging to the State

called the State convict farm, purchased of Thomas Williams.

D. W. McIVER, Clerk.

HOUSE MESSAGE.

The Senate refused to concur in the amendment of the House to the bill—

s. 125. To sell a certain plantation belonging to the State called the State convict farm, purchased of Thomas Williams.

At 6 o'clock p. m., the Senate adjourned.

TWENTY-FOURTH DAY.

TUESDAY, December 12, 1882.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Howard, of this city.

Present—Messrs President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—32.

The journal of yesterday was read and approved.

BILLS ON SECOND READING.

The bill—

s. 203. To amend the charter of the town of Greensboro, and to confer additional powers and duties on the mayor and council of Greensboro;

Was read a second time and referred to the committee on municipal and county organizations.

The bill—

s. 204. To change the time of holding the circuit courts of Lee and Bullock counties;

Was read a second time and referred to the committee on the judiciary.

The bill—

s. 206. To repeal section 2 of an act to amend section 4330 and 4331 of the Code, in so far as the same applies to the county of Lowndes, approved February 7, 1877;

Was read a second time and referred to the committee on revision of laws.

The bill—

s. 208. To amend an act to incorporate the town of Davisville, in Calhoun county, Ala., approved December 8, 1880;

Was read a second time and referred to the committee on municipal and county organizations.

The bill—

H. B. 323. To amend section 1544 of the Code;

Was read a second time and referred to the committee on temperance.

The bill—

H. B. 397. To amend section 3 of an act entitled an act to incorporate the town of Cherokee, in Colbert county, approved December 7, 1871;

Was read a second time and referred to the committee on municipal and county organizations.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
December 12, 1882.

Mr. President :

The House has passed, without amendment, the bill—

s. 13. To provide for the introduction of the study of the laws of health in the public schools of this State.

And insists upon its amendments to the bill—

s. 125. To sell a certain plantation belonging to the State, called the State Convict Farm, purchased of Thomas Williams; and requests a committee of conference thereon.

Committee on part of the House—

Messrs. Robinson, Samford and Brown of Tuscaloosa.

And has concurred in the Senate amendment to the bill—

H. B. 3. To confer upon notaries public and ex-officio justices of the peace similar powers to those possessed by justices of the peace to issue attachments returnable to the circuit court.

And has passed without amendment, the bills—

s. 32. To amend the charter of the East and West Railroad Company of Alabama, and to enable said company to engage in mining operations.

s. 50. To authorize railroad companies organized under

the general incorporation laws, to extend their lines and build branch roads.

s. 72. To amend an act, approved March 4, 1875, to incorporate the town of Elba, in Coffee county.

s. 59. To establish a new charter for the city of Gadsden.

s. 38. To amend an act for the protection of certain portions of the lands and plantations, lying in Bullock county, from depredations by stock, approved December 8, 1880, and amended February 24, 1881.

s. 68. To amend section 2 of an act to regulate the compensation of sheriffs for the removal of prisoners, approved March 1, 1881.

s. 85. To regulate the terms of the courts in the first judicial circuit of Alabama.

s. 133. To incorporate the Gesner Mining and Smelting Company.

Also,

The House has adopted a joint resolution, herewith sent, providing for the hiring of convicts.

Also,

A joint resolution, herewith sent, relative to the appointment of a joint committee on the convict system.

Committee on part of the House—

Messrs. Woods, Johns and Samford.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The Senate acceded to the request of the House for a committee of conference on the disagreement of the two houses on the bill—

s. 125. To sell a certain plantation belonging to the State, called the State Convict Farm, purchased of Thomas Williams.

The President appointed as the committee on part of the Senate—

Messrs. Brewer and Davidson.

REPORTS FROM COMMITTEES.

By leave, Mr. Grant, from a special committee, reported favorably the bill—

H. B. 341. To regulate the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicat-

ing bitters, or patent medicines having alcohol as a base, in the county of Calhoun ;

Which was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Ware—22.

By leave, Mr. Mitchell, from the committee on revision of laws, reported favorably, the bill—

s. 141. To amend section 1811 of the Code ;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Brooks of Macon, Brooks of Mobile, Grant, Griffin, Hargrove, Jones, Luckie, Mitchell, Moorman, McSpadden, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Ware—20.

By leave, Mr. Brooks of Mobile, from the finance committee, reported favorably, with amendments, the bill—

H. B. 420. To pay to W. J. B. Padgett and Robert Hasson, Door-keepers of the Senate and House of Representatives, respectively, for certain articles furnished the Senate and House of Representatives, and for repairs.

The amendments were adopted, as follows :

Strike out in the third line from the bottom of first page, the figures "47" and insert "97;" also strike out from first line of second page, the figures "\$45.52," and insert "forty-three dollars and fifty-two cents;"

The bill was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. President, Billups, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, McClellan, Mitchell, Moorman, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Ware—21.

By leave, Mr. McClellan, from the committee on municipal and county organizations, reported favorably, the bill—

H. B. 315. To amend section 34 of an act entitled an act to incorporate the port of Mobile, and to provide for the government thereof, approved February 11, 1879 ;

Mr. Brooks of Mobile offered an amendment, which was adopted, as follows :

"Amend by adding to first paragraph of section 34 the following :

'Provided, That nothing herein contained shall prevent the

regular monthly payment of any salary now, or which may be hereafter provided for the harbor master of Mobile.' "

The bill was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Hargrove, McClellan, Mitchell, Moorman, McSpadden, Orr, Rushing, Shelby, Street, Titcomb, Ware—20.

By leave, Mr. Bowles, from a special committee, reported favorably the bill—

H. B. 201. To amend an act to amend section 1544 of the Code of Alabama, so far as the same relates to the counties of Pike, Butler and Coffee;

Which was read a third time and passed—yeas 18, nays 0.

Yeas—Messrs. Billups, Bowles, Brooks of Mobile, Farnham, Gardner, Griffin, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Rushing, Seay, Shelby, Street, Titcomb, Ware—18.

By leave, Mr. Titcomb, from the committee on local legislation, reported favorably, with an amendment, the bill—

H. B. 130. To authorize the commissioners court of Barbour county to establish or abolish districts in which stock may be prevented from running at large.

The amendment was adopted, as follows:

"Add to section 13—

"Be it further enacted, That the commissioners court shall not have the power to abolish stock law districts already established in Hawkinsville, Fort Browder and Spring Hill beats, in said county. This act shall apply, in all other respects, to said beats."

The bill was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Brewer, Brooks of Mobile, Brown, Davidson, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Oden, Orr, Pate Rushing, Shelby, Smith, Street, Titcomb, Troy, Ware—23.

By leave, Mr. Mitchell, from a special committee, reported favorably, with an amendment, the bill—

H. B. 379. To provide for the establishment of a separate school district, to be known as the Peabody school district, in Lee and Russell counties, and for the appointment of a board of trustees for said school district, with certain powers and privileges.

The amendment was adopted, as follows:

Amend by inserting after the word "allow," in the eighth

line of the first section of the bill, the words "a line to be run;" and by inserting after the word "located," in the twelfth line of said section, the words "and running said lines."

The bill was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. President, Billups, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Smith, Street, Titcomb, Troy, Ware—24.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
December 12, 1882.

Mr. President :

The House has concurred in the Senate amendments to the bills—

H. B. 420. To pay W. J. B. Padgett and Robert Hasson, door-keepers of the Senate and House of Representatives, respectively, for certain articles furnished the Senate and House of Representatives.

H. B. 130. To authorize the commissioners court of Barbour county to establish or abolish districts in which stock may be prevented from running at large.

H. B. 315. To amend section 34 of an act entitled "An act to incorporate the port of Mobile, and to provide for the government thereof," approved February 11, 1879.

Also, has passed, without amendment, the bill—

s. 49. To amend section 1843 of the Code.

The House recedes from its amendments to the bill—

s. 125. To sell a certain plantation belonging to the State, called the State convict farm, purchased of Thomas Williams.

And has adopted the amendment proposed by the committee of conference.

D. W. McIVER, Clerk.

ENROLLED BILLS.

Mr. Orr, from the committee on enrolled bills, reported the following bills correctly enrolled :

s. 1. To repeal an act to prohibit the manufacture or

sale, or other disposition of vinous, spirituous or malt, or other intoxicating liquors, within the limits of the counties of Limestone and Clarke, in this State, approved February 24, 1881, so far as the same relates to Limestone county.

s. 119. To amend sections 1385, 1388, 1393, 1395, 1396 and 1399 of the Code.

s. 12. To prohibit the sale, bartering or giving away of spirituous, vinous or malt liquors in the town of Glennville, in Russell county, Alabama, or within five miles, in any direction, of the Methodist Episcopal Church South, in said town.

s. 58. To prohibit the selling, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages, within five miles of the town of Bremen, in Cullman county, Alabama.

s. 70. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages, within three miles of Soule's Chapel church, in Pickens county.

s. 120. To amend sections 1376, 1380, 1381 and 1383 of the Code.

s. 48. To prohibit the sale or disposing of spirituous, vinous or malt liquors, or other intoxicating beverages, in the county of Wilcox on and after the first day of April, 1883.

s. 19. To amend section 580 of the Code.

s. 68. To amend section 2 of an act to regulate the compensation of sheriffs for the removal of prisoners, approved March 1, 1881.

s. 32. To amend the charter of the East and West Railroad Company of Alabama, and to enable said company to engage in mining operations.

s. 131. Joint resolution of the Senate and House of Representatives of the General Assembly of Alabama (requesting Senators of Alabama in Congress of the United States to vote for bill on mineral lands).

s. 136. Joint resolution relating to the proceeds of public lands lying within the State of Alabama, located with military land warrants.

s. 13. To provide for the introduction of the study of the laws of health in the public schools of this State.

s. 50. To authorize railroad companies organized under

the general incorporation laws, to extend their lines and build branch roads.

s. 49. To amend section 1843 of the Code.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
December 12, 1882.

Mr. President :

The Speaker of the House having signed the following bills, your signature is requested, viz :

H. B. 281. To permanently locate the seat of justice in Blount county.

H. B. 236. To amend an act entitled an act to provide for additional accommodation for the insane of Alabama, approved February 26th, 1881.

H. B. 264. To authorize the people of Winston county to vote on the question of removing the county seat of said county, and to permanently locate the same.

H. B. 406. To amend an act to prohibit the sale or giving away of any vinous, spirituous or malt liquors, in the town of Dayton, or within six miles of said town, approved December 4th, 1880.

H. B. 269. To authorize the county of Mobile to make and issue its bonds to a limited amount for a certain specific purpose.

H. B. 3. To confer upon notaries public and ex-officio justices of the peace similar powers to those possessed by justices of the peace to issue attachments returnable to the circuit, or any city court.

H. B. 330. To repeal an act entitled an act to establish a new charter for the city of Opelika and amendments thereof.

H. B. 288. To authorize and require the Governor to destroy all uncurrent funds in the treasury, and all six per cent. bonds that have not been issued.

H. B. 453. To repeal an act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters at or within certain localities in this State, approved February 28, 1881, so far as the same relates to Beat No. 9, of Hale county.

H. B. 170. To provide for an election by the legal electors of Dale county, on the question of prohibition or no prohibition of the making or selling, or otherwise disposing of any

spirituous or malt liquors, or intoxicating bitters of any kind, in any quantity, within Dale county; the same being prohibited by an act entitled an act to prohibit the making, selling or otherwise disposing of spirituous or malt liquors, or intoxicating bitters of any kind, in any quantity, within the counties of Dale and Henry, approved February the 26th, 1881, except as provided in said act.

H. B. 396. To provide for the security and protection of the public bridges in the county of Coffee.

H. B. 347. To establish a new charter for the city of Opelika.

H. B. 420. To pay to W. J. B. Padgett and Robert Hasson, door-keepers of the Senate and House of Representatives, respectively, for certain articles furnished the Senate and House of Representatives and for repairs.

H. B. 111. To repeal an act entitled an act in relation to trials for misdemeanors in Tuscaloosa and other counties therein named, so far as Lamar county is concerned.

H. B. 5. To increase the fees of constables in the counties of Jefferson, Calhoun, Wilcox, Talladega, Greene, Dallas, Dale, Butler, Autauga, Hale, Jackson, Sumter, Limestone, Shelby, Perry, Cullman, Geneva, Franklin, Colbert, Russell, Lowndes, St. Clair, Chambers, Marshall, Blount, Coffee, Bullock and Henry.

H. B. 47. To repeal an act entitled an act to regulate the publication of legal notices in the counties of Lamar and Fayette, approved February 4th, 1879.

H. B. 290. To regulate the drawing and empanneling of grand and petit juries in Dallas county.

H. B. 457. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for interest on the public debt, and for the public schools.

H. B. 341. To regulate the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, or patent medicines having alcohol as a base, in the county of Calhoun.

H. B. 201. To amend an act to amend section 1544 of the Code of Alabama, so far as the same relates to the counties of Pike, Butler and Coffee.

H. B. 130. To authorize the commissioners court of Barbour county to establish or abolish districts in which stock may be prevented from running at large.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set forth in the foregoing report of the enrolling committee and House message.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Alabama, December 12, 1882.

Mr. President :

I am directed by his Excellency, the Governor, to communicate to the Senate a message in writing.

W. G. HUTCHESON,
Recording Secretary.

On motion of Mr. Brooks of Mobile, at one o'clock p. m., the Senate went into executive session.

At 1:06 p. m. the executive session being dissolved, the doors of the Senate chamber were opened, and the regular order was resumed,

Which was a

REPORT OF A CONFERENCE COMMITTEE.

Mr. Brewer, from a joint conference committee, submitted the following report :

Mr. President :

The committee of conference of the Senate and House of Representatives, to whom was referred the bill—

s. 125. To be entitled "an act to sell a certain plantation belonging to the State, called the State convict farm, purchased of Thomas Williams ;"

Have had the same under consideration, and beg leave to recommend that the House recedes from its amendments, and that the bill be amended, as follows, to-wit :

"Add to section 4: And, in the event no sale is made by the first of December of each year, the commissioners are

hereby authorized to lease said plantation for each year, until the sale is consummated."

W. BREWER;
A. C. DAVIDSON,
Of the Senate.

J. J. ROBINSON,
H. H. BROWN,
W. J. SAMFORD,
Of the House of Representatives.

The report was concurred in, and the amendment adopted—yeas 27, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Oden, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—27.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., December 12, 1882.

Mr. President :

The Governor has approved the following bills, which originated in the Senate :

s. 13. To provide for the introduction of the study of the laws of health in the public schools of this State.

s. 32. To amend the charter of the East and West Railroad Company of Alabama, and to enable said company to engage in mining operations.

s. 49. To amend section 1843 of the Code ;

s. 50. To authorize railroad companies organized under the general incorporation laws, to extend their lines and build branch roads.

s. 131. Joint resolution of the Senate and House of Representatives of the General Assembly of Alabama, requesting Senators of Alabama in Congress of the United States to vote for bill on mineral lands ;

s. 136. Joint resolution relating to the proceeds of public lands, lying within the State of Alabama, located with military land warrants ;

s. 68. To amend section 2 of an act to regulate the com-

pensation of sheriffs for the removal of prisoners, approved March 1, 1881.

Respectfully,
W. G. HUTCHESON,
Recording Secretary.

ENROLLED BILLS.

Mr. Orr, from the committee on enrolled bills, reported the following bills correctly enrolled—

s. 125. To sell a certain plantation belonging to the State, called the State convict farm, purchased of Thos. Williams.

s. 38. To amend an act for the protection of certain portions of the lands and plantations, lying in Bullock county, from depredations by stock, approved December 8, 1880, and amended February 24, 1881.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after the titles had been publicly read, signed the bills, the titles of which are set forth in the foregoing report from the enrolling committee.

HOUSE MESSAGES.

The Senate proceeded to consider the House joint resolution—

Relative to the appointment of a joint committee on the convict system.

Mr. Troy moved that the Senate non-concur in the resolution.

Mr. Seay raised the point that the motion was out of order, and that the question was properly on the concurrence of the Senate in the House joint resolution.

The President held the point well taken.

Mr. Troy appealed from the decision of the chair.

And the question being, shall the chair be sustained?

The chair was sustained.

Mr. Troy moved to indefinitely postpone the joint resolution, and the motion prevailed.

Yeas 22, nays 6.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks

of Mobile, Brown, Davidson, Griffin, Jones, McClellan, Mitchell, Moorman, Oden, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—22.

Nays—Messrs. Brooks of Macon, Gardner, Hargrove, Luckie, McSpadden, Shelby—6.

The Senate proceeded to consider the House joint resolution, providing for the hiring of convicts ;

Which, on motion of Mr. Troy, was indefinitely postponed.

Yeas 24, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Oden, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—24.

REPORT OF COMMITTEE.

Mr. Mitchell, from the committee on revision of laws, reported favorably, with amendment, the bill—

H. B. 105. To amend section 871 of the Code of Alabama, so as to include houses or other buildings ;

Which, on motion of Mr. Hargrove, was postponed and made a special order for 24th January, 1883.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., December 12th, 1882.

Mr. President :

The Governor has approved the following bills, which originated in the Senate :

s. 38. To amend an act for the protection of certain portions of the lands and plantations, lying in Bullock county, from depredations by stock, approved December 8, 1880, and amended February 24, 1881 ;

s. 125. To sell a certain plantation belonging to the State, called the State Convict Farm, purchased of Thomas Williams ;

s. 48. To prohibit the sale, or disposing of spirituous, vinous or malt liquors, or other intoxicating beverages, in the county of Wilcox, on and after the first day of April, 1883 ;

s. 1. To repeal an act to prohibit the manufacture, or

sale or other disposition of vinous, spirituous or malt, or other intoxicating liquors, within the limits of the counties of Limestone and Clarke, in this State, approved February 24, 1881, so far as the same relates to Limestone county;

s. 12. To prohibit the sale, bartering or giving away of spirituous, vinous or malt liquors, in the town of Glennville, in Russell county, Alabama, or within five miles in any direction of the Methodist Episcopal Church South, in said town;

s. 19. To amend section 580 of the Code;

s. 58. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, or beverages, within five miles of the town of Bremen, in Cullman county, Alabama;

s. 70. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, or beverages, within three miles of Soule's chapel church, in Pickens county;

s. 119. To amend sections 1385, 1388, 1393, 1395, 1396 and 1399 of the Code;

s. 120. To amend sections 1376, 1380, 1381 and 1383 of the Code.

Respectfully,

W. G. HUTCHESON,

Recording Secretary.

ADJOURNMENT.

The hour of 2:30 o'clock p. m., having arrived, the President announced, that in accordance with the joint resolution of the two Houses, the Senate stood adjourned till the 24th day of January, 1883.

TWENTY-FIFTH DAY.

WEDNESDAY, January 24, 1883.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Avent, of the House.

Present—Messrs. President, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Norman, Oden, Orr, Pate, Shelby, Smith, Thomas, Titcomb, Troy, Ware—23.

The journal of Tuesday, December 12, 1882, was read and approved.

LEAVE OF ABSENCE.

Mr. Brewer was granted indefinite leave of absence on account of sickness.

REQUEST TO RETURN BILL.

On motion of Mr. Mitchell, the House was requested to return the bill—

H. B. 379. To provide for the establishing of a separate school district to be known as the Peabody school district, in Lee and Russell counties, and for the appointment of a board of trustees for said school district, with certain powers and privileges.

CALL OF THE DISTRICTS.

Bills were introduced :

By Mr Luckie—

s. 209. To raise a fund for the benefit of the fire companies in the city of Birmingham ;

Also,

s. 210. To authorize any person or corporation, operating water works for supplying water to any city, or incorporated town to condemn and acquire land and water necessary for that purpose, and to protect their property from depredation.

By Mr. Oden—

s. 211. Authorizing the mayor and aldermen of the city of Wetumpka to donate a certain street for county purposes ;

Also,

s. 212. To amend section 2088 of the Code.

By Mr. Farnham—

s. 213. To authorize the administrator of the estate of Y. S. Hirschfelder, late of Conecuh county, deceased, to sell the lands of said estate at private sale.

Also,

s. 214. To abolish the court of county commissioners of Conecuh county ;

Also,

s. 215. To establish a board of revenue for Conecuh county.

By Mr. Troy—

s. 216. To amend section 4228 of the Code, relating to the use of fire-arms, while fighting in a public place ;

Also,

s. 217. To define and punish the offense of attempting to kill ;

Also,

s. 218. To provide for the punishment of attempts to commit a felony, or misdemeanor, which may be punished by imprisonment ;

Also,

s. 219. To amend section 4373 of the Code ;

Also,

s. 220. To amend section 3916 of the Code, relating to appeals to the supreme court ;

Also,

s. 221. To provide for the appointment of an official stenographer for the city court of Montgomery, and other courts held in said county, and to define his duties and regulate his compensation ;

Also,

s. 222. To provide a county solicitor for Montgomery county.

By Mr. Smith—

s. 223. To establish a State Normal School for the education of white female teachers and students, at Livingston, in Sumter county.

By Mr. Titcomb—

s. 224. To increase the appropriation for the public schools from one hundred and thirty thousand dollars, as provided in the general appropriation bill, approved December 12, 1882, to two hundred and thirty thousand dollars.

Which were severally read a first time and ordered to a second reading.

The President laid before the Senate—

A communication from the manager of the public library in Stuttgart, Germany, requesting a contribution of books;

Which was referred to the committee on federal relations.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
January 24, 1883.

Mr. President:

The House has amended, as herein shown, and passed the bill—

s. 64. To amend section 2944 of the Code.

And has passed, without amendment, the bill—

s. 62. To amend section 2591 of the Code.

And has originated and passed the bill—

H. B. 448. To repeal an act entitled an act to prohibit the manufacture or sale of spirituous, vinous or malt liquors within the limits of Macon county, Alabama, approved February 26, 1881, so far as the same relates to Beat No. 3, known as Society Hill beat, in said county.

And has adopted—

A joint resolution to appoint a joint committee of five to notify the Governor of the re-assembling of the General Assembly.

Committee on part of the House—

Messrs. Muldon, Shackelford and Branch.

And returns, at the request of the Senate, the bill—

H. B. 379. To provide for the establishing of a separate school district, to be known as the Peabody school district, in Lee and Russell counties, and for the appointment of a board of trustees of said school district, with certain powers and privileges.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The Senate concurred in the House joint resolution to appoint a joint committee of five to notify the Governor of the re-assembling of the General Assembly.

The President appointed Messrs. Brown and Oden, as the committee on the part of the Senate, under said resolution.

The Senate concurred in the House amendment to the bill—

s. 64. To amend section 2944 of the Code.

Yeas 18, nays 0.

Yeas—Messrs. President, Bowles, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Norman, Orr, Shelby, Smith, Titcomb, Troy—18.

PRIVILEGED MOTION.

Mr. Mitchell arose to a question of privilege, and moved to re-consider the vote by which the Senate passed the bill—

H. B. 379. To provide for the establishing of a separate school district, to be known as the Peabody school district, in Lee and Russell counties, and for the appointment of a board of trustees for said school district, with certain powers and privileges.

The motion prevailed.

On his motion the vote ordering the bill to a third reading was also reconsidered, and the bill was re-committed to the committee on local legislation.

REPORT OF JOINT COMMITTEE.

Mr. Oden, from special joint committee, appointed to notify the Governor of the re-assembling of the General Assembly, reported that the committee had performed their duty and that the Governor had no communication to make at present.

REPORTS FROM STANDING COMMITTEES.

Mr. Hargrove, from the judiciary committee, reported favorably, the bill—

H. B. 184. To amend an act entitled an act to require banks, bankers, insurance companies and others engaged in

the business of lending money to give receipts for collaterals, approved February 12, 1879.

Which was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, Mitchell, Norman, Orr, Pate, Shelby, Smith, Thomas, Titcomb, Troy, Ware—22.

Also, favorably, the bill—

H. B. 88. To amend section 3976 of the Code ;

Which was read a third time and passed—yeas 20, nays 1.

Yeas—Messrs. President, Bowles, Brooks of Mobile, Brown, Farnham, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Norman, Oden, Orr, Pate, Shelby, Smith, Titcomb, Ware—20.

Mr. Troy voted no.

Also, favorably, with an amendment, the bill—

H. B. 81. To amend section 4340 of the Code;

The amendment was adopted, as follows :

Amend by inserting after the word “another,” in the fourth line from the bottom of the bill, the words “or entry in any book accounts.”

The bill was read a third time and passed—years 24, nays 0.

Yeas—Messrs. President, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Norman, Oden, Orr, Pate, Shelby, Smith, Thomas, Titcomb, Troy, Ware—24.

Also, favorably, the bill—

H. B. 164. To amend section 2945 of the Code ;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Bowles, Brooks of Mobile, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Norman Orr, Pate, Shelby, Smith, Titcomb, Troy, Ware—20.

Also a substitute for the bill—

s. 41. To prevent drunkenness in public places.

The substitute was adopted.

Pending the consideration of the bill, the hour of 12 o'clock having arrived,

THE SPECIAL ORDER.

Which was the bill—

H. B. 105. To amend section 871 of the Code of Alabama, so as to include houses or other buildings ;

Was taken up, and, on motion of Mr. Mitchell, postponed, and made a special order for to-morrow, at 11 o'clock, a. m.

REGULAR ORDER.

The Senate resumed consideration of the bill—

s. 41. To prevent drunkenness in public places ;

Which was read a third time.

Mr. Hargrove moved to reconsider the vote ordering the bill to a third reading.

Agreed to—yeas 13, nays 10.

Yeas—Messrs. Bowles, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Mitchell, Orr, Pate, Titcomb, Troy—13.

Nays—Messrs. Jackson, Jones, Luckie, McClellan, Norman, Oden, Shelby, Smith, Thomas, Ware—10.

On motion of Mr. Hargrove, the vote on the adoption of the substitute, was also, reconsidered.

Mr. Hargrove offered an amendment, and pending its consideration, on motion of Mr. Jackson, the bill and amendments thereto, were laid on the table—yeas 13, nays 12.

Yeas—Messrs. Bowles, Brooks of Mobile, Grant, Jackson, Jones, Luckie, McClellan, Norman, Oden, Pate, Shelby, Thomas, Troy—13.

Nays—Messrs. President, Brooks of Macon, Brown, Farnham, Gardner, Griffin, Hargrove, Mitchell, Orr, Smith, Titcomb, Ware—12.

Mr. Hargrove, from the judiciary committee, reported a substitute for the bill—

s. 149. To amend section 2097 of the Code.

The substitute was adopted.

The bill was read a third time and passed—yeas 19, nays 0.

Yeas—Messrs. President, Bowles, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Norman, Oden, Orr, Shelby, Titcomb, Troy, Ware—19.

Also, returned the bill—

s. 113. To amend an act to regulate and fix the time of holding the courts in the several counties composing the 7th judicial circuit, approved March 1, 1881;

Which was recommitted to the committee on revision of laws.

Also, favorably the bill—

s. 147. To amend section 4410 of the Code;

The bill was read a third time and passed—yeas 15, nays 5.

Yeas—Messrs. President, Bowles, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Norman, Oden, Orr, Troy, Ware—15.

Nays—Messrs. McClellan, Mitchell, Shelby, Smith, and Titcomb—5.

Mr. Troy, from the same committee, reported adversely the bill—

H. B. 39. To punish the obtaining of money or property, by means of false promises;

Which, on motion of Mr. McClellan, was postponed and made the special order for Saturday next.

LEAVE OF ABSENCE.

Indefinite leave of absence was granted to Mr. Rushing and to Lothair Brooks, page, on account of sickness.

ADJOURNMENT.

At 1:45 P. M., on motion of Mr. Grant, the Senate adjourned.

TWENTY-SIXTH DAY.

THURSDAY, January 25, 1883.

The Senate met pursuant to adjournment.

Present—Messrs. President, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Jackson, Jones, McClellan, Mitchell, Moorman, Norman, Oden, Orr, Pate, Shelby, Smith, Street, Titcomb, Ware—23.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Indefinite leave of absence was granted Mr. Luckie.

CALL OF THE DISTRICTS.

Bills were introduced,

By Mr. McClellan—

s. 225. To amend section ten (10) of an act to regulate the trials of misdemeanors in Madison county, approved February 9th, 1877.

By Mr. Shelby, (by request, with petition)—

s. 226. For the preservation of game, animals and birds in the county of Madison.

Also, (by request, with petition)—

s. 227. To prohibit fishing in the waters of Madison county, of the State of Alabama, with nets or seines.

By Mr. Brown—

s. 228. To prohibit the manufacture, sale, giving away, or otherwise disposing of any spirituous, vinous, or malt liquors, or intoxicating bitters, or beverages of any kind, within the limits of the county of Jackson.

By Mr. Moorman—

s. 229. To incorporate the "Alabama and Mississippi Coal Company."

By Mr. Titcomb, (with petition)—

s. 230. For the relief of John Rupert, circuit clerk in the county of Escambia.

By Mr. Jones, (by request)—

s. 231. To amend section 792 of the Code;

Also,

s. 232. To repeal section three, and amend an act, approved December 8, 1880, "to prohibit stock from running at large in certain portions of Wilcox and Marengo counties."

By Mr. Norman—

s. 233. To repeal an act to change the boundary line between the counties of Bullock and Montgomery, approved February, 5, 1877.

By Mr. Smith—

s. 234. To require persons whose claims against Sumter county have been allowed by the commissioners court thereof, against the general fund of said county, to draw their warrants for the amount within six months.

Also,

s. 235. To further regulate the payment of the general fund script of Sumter county;

Also,

s. 236. To further regulate the payment of the fine and forfeiture fund script of Sumter county.

By Mr. Brewer—

s. 237. To amend an act to prohibit the sale or giving away of spirituous, vinous, or malt liquors in Lowndes county, except in incorporated cities and towns, approved 26 February, 1881;

Also,

s. 238. To amend section eight (8) of an act to secure the humane treatment of prisoners, approved 6th December, 1880.

By Mr. Troy—

s. 239. In aid of the exercise of the power of disposal conferred on the Legislature of Alabama by the act of Congress of June 3, 1856, entitled "An act granting public lands in alternate sections to the State of Alabama, to aid in the construction of certain railroads in said State;"

Also,

s. 240. To secure more effectually competent and well qualified jurors in the county of Lee.

By Mr. Farnham—

s. 241. To assist the University of Alabama in providing additional room for students and facilities for instruction;

Also,

s. 242. To amend section 4469 of the Code.

By Mr. Hargrove—

s. 243. To amend section 4990 of the Code.

Which were severally read the first time and ordered to a second reading.

BILLS ON SECOND READING.

The bill—

s. 209. To raise a fund for the benefit of the fire companies in the city of Birmingham;

Was read a second time and referred to the committee on municipal and county organizations.

The bills—

s. 210. To authorize any person or corporation, operating water works for supplying water to any city, or incorporated town to condemn and acquire land and water necessary for that purpose, and to protect their property from depredation;

s. 212. To amend section 2088 of the Code;

s. 216. To amend section 4228 of the Code, relating to the use of fire-arms, while fighting in a public place;

s. 217. To define and punish the offense of attempting to kill;

s. 218. To provide for the punishment of attempts to commit a felony, or misdemeanor, which may be punished by imprisonment ;

s. 219. To amend section 4373 of the Code ;

s. 220. To amend section 3916 of the Code, relating to appeals to the supreme court ;

s. 221. To provide for the appointment of an official stenographer for the city court of Montgomery, and other courts held in said county, and to define his duties and regulate his compensation ;

s. 222. To provide a county solicitor for Montgomery county ;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

s. 224. To increase the appropriation for the public schools from one hundred and thirty thousand dollars, as provided in the general appropriation bill, approved December 12, 1882, to two hundred and thirty thousand dollars ;

s. 223. To establish a State Normal School for the education of white female teachers and students, at Livingston, in Sumter county ;

Were read a second time and referred to the committee on education.

The bill—

s. 211. Authorizing the mayor and aldermen of the city of Wetumpka to donate a certain street for county purposes ;

Was read a second time and referred to a special committee, consisting of Messrs. Oden, Griffin and Norman.

The bills—

s. 213. To authorize the administrator of the estate of Y. S. Hirschfelder, late of Conecuh county, deceased, to sell the lands of said estate at private sale ;

s. 214. To abolish the court of county commissioners of Conecuh county ;

s. 215. To establish a board of revenue for Conecuh county ;

Were severally read a second time and referred to a special committee, consisting of Messrs. Farnham, Smith and Titcomb.

The bill—

H. B. 448. To repeal an act entitled an act to prohibit the

manufacture or sale of spirituous, vinous or malt liquors within the limits of Macon county, Alabama, approved February 26, 1881, so far as the same relates to Beat No. 3, known as Society Hill beat, in said county ;

Was read a second time and referred to the temperance committee.

SPECIAL ORDER.

At the hour of 11 o'clock, the Senate proceeded to consider the bill—

H. B. 105. To amend section 871 of the Code of Alabama, so as to include houses or other buildings.

The pending amendments were adopted, as follows :

"Amend by inserting the following caption before the word 'when,' in the tenth line of the bill :

"§ 871 (956). Fences, houses and other buildings on section line."

Also, amend by striking out the word "twelve" where it occurs in the amendment to the bill, and inserting the word "six."

Also, amend by adding after the last word of the amended bill the following :

"But if the owner of said fences, houses or other buildings fails or refuses to remove the same within said time, and suit is brought for the recovery of the lands upon which they stand, on verdict for the plaintiff, the jury shall assess the value, at the time of the trial, of said improvements, and also of said lands, and of the use and occupation of said lands from the time of said re-survey, not including the increased value thereof by reason of said improvements, and if the value of said use and occupation, as assessed, exceed the value of said improvements, judgment must be rendered against the defendant for the excess ; but if the value of said improvements exceed the value of said use and occupation, no writ of possession shall issue for one year after the rendition of the judgment, unless the plaintiff, or his legal representative, pay the defendant, or deposit with the clerk for him, the excess of the assessed value of the improvements over the value of the use and occupation. And if the plaintiff, or his legal representative, neglect to pay such excess for the term of one year, and the defendant, or his legal representative, within three months after the expiration of the year, pays to the clerk of the court, for the use of the

plaintiff, the value of said lands and said use and occupation, as assessed by the jury, the plaintiff is forever barred from his writ of possession and from maintaining any action whatever against the defendant, his heirs or assigns, for the recovery of such lands, or the possession thereof."

The bill was read a third time and passed—yeas 19, nays 3.

Yeas—Messrs. President, Bowles, Brooks of Macon, Brooks of Mobile, Davidson, Gardner, Grant, Griffin, Jones, McClellan, Mitchell, Moorman, Norman, Oden, Shelby, Smith, Street, Titcomb, Ware—19.

Nays—Messrs. Farnham, Orr, Troy—3.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
January 25, 1883.

Mr. President:

The House has originated and passed the following bills, viz:

H. B. 312. To provide the manner in which notice shall be given to non-resident defendants in attachment.

H. B. 389. To amend section 750 of the Code, so far as relates to the county of Butler.

H. B. 96. To incorporate the Mountain Mills Manufacturing and Railroad Company.

H. B. 65. To amend an act entitled "An act to amend section 2681 of the Code," approved March 1, 1881.

H. B. 279. In relation to trials of misdemeanors in Walker county.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set out in the foregoing House message, were severally read a first time and ordered to a second reading.

REPORT FROM SPECIAL COMMITTEE.

By leave, Mr. Titcomb, from a special committee, reported favorably the bill—

s. 138. To define some of the duties of the State board of health ;

Which was read a third time and passed—yeas 22, nays 2.

Yeas—Messrs. Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Jones, McClellan, Mitchell, Moorman, Norman, Oden, Orr, Pate, Seay, Shelby, Smith, Street, Titcomb, Troy—22.

Messrs. President and Brewer voted no.

PRIVILEGED MOTION.

Mr. Jones arose to a question of privilege, and moved to reconsider the vote tabling the bill—

s. 41. To prevent drunkenness in public places ;

And the pending amendments thereto.

The motion prevailed.

Mr. McClellan offered an amendment to the substitute, and,

On motion of Mr. Brooks of Mobile, the further consideration of the bill and amendments thereto was postponed, and made a special order for Saturday next.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
January 25, 1883.

Mr. President :

The House has concurred in the Senate amendment to the bill :

H. B. 81. To amend section 4340 of the Code.

And has originated and passed the bill—

H. B. 388. To amend an act to fix the time of holding the circuit courts in the 2d judicial circuit, approved February 13th, 1879 ;

And has ordered the same to the Senate forthwith, without engrossment.

D. W. McIVER, Clerk.

HOUSE MESSAGE.

The House bill, the title of which is set out in the

above House message, was read a first time and ordered to a second reading.

At the hour of 12 o'clock, the Senate proceeded to consider

THE SPECIAL ORDERS,

First.

The bill—

s. 115. To authorize application to be made to the Congress of the United States to appropriate the sum of \$10,-388,072.10, the amount of tax on raw cotton collected in this State, as a public school fund for this State, and to provide for the investment of said fund ;

Was taken up, and lost—yeas 12, nays 14.

Yeas—Messrs. Bowles, Brooks of Macon, Brown, Davidson, Farnham, Gardner, Jackson, Shelby, Street, Thomas, Troy, Ware—12.

Nays—Messrs. President, Brooks of Mobile, Grant, Griffin, Jones, McClellan, Mitchell, Moorman, Norman, Orr, Pate, Seay, Smith, Titcomb—14.

Second.

The bill—

s. 25. To regulate proceedings on appeals by defendants to the supreme court in criminal cases ;

Was, on motion of Mr. Troy, recommitted to the judiciary committee.

Third.

The bill—

s. 116. To fix the tenure of office of railroad commissioners ;

Was taken up, and the pending amendment, offered by Mr. Brooks of Macon, was withdrawn by him.

The bill was read a third time.

Mr. Brooks of Macon, moved to indefinitely postpone the bill—

Agreed to—yeas 16, nays 10.

Yeas—Messrs. Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Griffin, Hargrove, Mitchell, Orr, Pate, Seay, Shelby, Street, Thomas, Ware—16.

Nays—Messrs. President, Bowles, Farnham, Jones, McClellan, Moorman, Norman, Oden, Smith, Troy—10.

RESOLUTION.

By leave, Mr. Orr offered a resolution providing for the appointment of a committee of three to request the ministers of the city and of the Legislature to open the morning sessions of the Senate with prayer.

Adopted.

The President appointed, as said committee, Messrs. Orr, Brown and Ware.

ADJOURNMENT.

At 2:05 p. m., on motion of Mr. McClellan, the Senate adjourned.

 TWENTY-SEVENTH DAY.

FRIDAY, January 26, 1883.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Orme of the House.

Present—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, Norman, Oden, Orr, Pate, Seay, Shelby, Smith, Street, Titcomb, Ware—28.

The journal of yesterday was read and approved.

ENROLLED BILLS.

Mr. Orr, from committee on enrolled bills, reported the following bills correctly enrolled :

s. 59. To establish a new charter for the city of Gadsden.

s. 133. To incorporate the Gesner Mining and Smelting Company.

s. 64. To amend section 2944, as amended by an act entitled an act to amend section 2944 of the Code, approved February 8th, 1881.

s. 72. To amend an act, approved March 4th, 1875, to incorporate the town of Elba, in Coffee county.

- s. 62. To amend section 2591 of the Code.
- s. 85. To regulate the terms of the courts in the first judicial circuit of Alabama.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
January 24, 1883.

Mr. President :

The Speaker of the House having signed the following bills, your signature to the same is requested, viz :

- H. B. 81. To amend section 4340 of the Code ;
- H. B. 164. To amend section 2945 of the Code ;
- H. B. 88. To amend section 3976 of the Code ;
- H. B. 184. To amend an act entitled an act to require banks, bankers, insurance companies and others engaged in the business of lending money to give receipts for collaterals, approved February 12, 1879 ;
- H. B. 315. To amend section 34 of an act entitled "An act to incorporate the port of Mobile, and to provide for the government thereof," approved February 11, 1879.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing report of the enrolling committee and House message.

CALL OF DISTRICTS.

Bills were introduced—

By Mr. Pate—

- s. 244. To provide for the voluntary payment of taxes in Lee and Chambers counties.

By Mr. Brooks of Macon—

- s. 245. To constitute the town of Tuskegee a separate school district.

By Mr. Norman—

- s. 246. To prevent stock from running at large in China Grove beat, in Pike county.

By Mr. Seay—
s. 248. To prevent the sale or gift of toy pistols in this State.

By Mr. Pate—

s. 249. To amend section 29 of the Code.

By Mr. Troy—

s. 251. To amend section 2126 of the Code.

By Mr. Davidson (by request.)—

s. 252. To incorporate the Uniontown and Newbern Railroad Company ;

Which were severally read the first time and ordered to a second reading

PETITIONS.

Petitions were presented—

By Mr. Norman—

s. 247. Temperance petition from Bullock county.

By Mr. Brooks of Mobile—

s. 250. Petitions of the citizens of Mobile county against the enactment of any law interfering with the liquor traffic in said county ;

Which were referred to committee on temperance.

BILLS ON SECOND READING.

The bills—

s. 231. To amend section 792 of the Code ;

s. 232. To repeal section three and amend an act, approved December 8, 1880, to prohibit stock from running at large in certain portions of Wilcox and Marengo counties ;

s. 239. In aid of the exercise of the power of disposal conferred on the Legislature of Alabama by the act of Congress of June 3, 1856, entitled " An act granting public lands in alternate sections, to the State of Alabama to aid in the construction of certain railroads in said State ;"

H. B. 312. To provide the manner in which notice shall be given to non-resident defendants in attachment ;

s. 240. To secure more effectually competent and well qualified jurors in the county of Lee ;

H. B. 65. To amend an act entitled an act to amend 2681 of the Code, approved March 1, 1881 ;

s. 242. To amend section 4469 of the Code ;

H. B. 96. To incorporate the Mountain Mills Manufacturing and Railroad Company ;

s. 243. To amend section 4990 of the Code ;

H. B. 279. In relation to trials of misdemeanors in Walker county ;

Were severally read a second time and referred to the committee on the judiciary.

The bill—

H. B. 389. To amend section 750 of the Code so far as relates to the county of Butler ;

Was read a second time and referred to the committee on printing.

The bills—

s. 228. To prohibit the manufacture, sale, giving away, or otherwise disposing of any spirituous, vinous or malt liquors, or intoxicating bitters, or beverages of any kind, within the limits of the county of Jackson ;

s. 237. To amend an act to prohibit the sale or giving away of spirituous, vinous or malt liquors, in Lowndes county, except in incorporated cities and towns, approved 26th February, 1881 ;

Were severally read a second time and referred to the committee on temperance.

The bills—

s. 233. To repeal an act to change the boundary line between the counties of Bullock and Montgomery, approved February 5, 1877 ;

s. 234. To require persons whose claims against Sumter county have been allowed by the commissioner's court thereof, against the general fund of said county, to draw their warrants for the amount within six months ;

Were severally read a second time and referred to the committee on municipal and county organizations.

The bills—

s. 235. To further regulate the payment of the general fund script of Sumter county ;

s. 236. To further regulate the payment of the fine and forfeiture fund script of Sumter county ;

Were severally read a second time and referred to the committee on finance.

The bills—

s. 226. For the preservation of game, animals and birds in the county of Madison ;

s. 227. To prohibit fishing in the waters of Madison county, of the State of Alabama, with nets or seines ;

s. 230. For the relief of John Rupert, circuit clerk in the county of Escambia ;

Were severally read a second time and referred to the committee on local legislation.

The bill—

s. 238. To amend section eight of an act to secure the humane treatment of prisoners, approved 6th December, 1880 ;

Was read a second time and referred to the committee on the penitentiary.

The bill—

s. 229. To incorporate the Alabama and Mississippi Coal Company ;

Was read a second time and referred to the committee on internal improvements.

The bill—

s. 225. To amend section ten of an act to regulate the trials of misdemeanors in Madison county, approved February 9, 1877 :

Was read a second time and referred to committee on revision of laws.

The bill—

s. 241. To assist the University of Alabama in providing additional room for students, and facilities for instruction ;

Was read a second time and referred to the committee on education.

The bill—

H. B. 388. To amend an act to fix the time of holding the circuit courts in the second judicial circuit, approved February 13, 1879 ;

Was read a second time and referred to a special committee consisting of Messrs. Farnham, Bowles and Troy.

RESOLUTION.

By leave, Mr. Seay offered a joint resolution—

Raising a joint committee to consider the crop lien law, and the propriety of substituting therefor the right to mortgage unplanted crops, with instructions to report by bill or otherwise.

Adopted.

The President appointed, as the committee on part of the Senate, Messrs. Farnham and Davidson.

The resolution was ordered forthwith to the House.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
January 26, 1883.

Mr. President :

The House has originated and passed the following bills, viz :

H. B. 49. To protect innocent purchasers without notice of mortgaged personal property ;

H. B. 104. To amend section 1515 of the Code ;

H. B. 110. To amend section 2678 of the Code ;

H. B. 171. To enable mortgagees and beneficiaries to protect their interests, by purchasing at sales under powers in mortgages and deeds of trust, and to define the rights of mortgagor and mortgagee in certain cases ;

H. B. 156. To amend section 4218 of the Code ;

H. B. 157. To punish stealing of dogs and provide for their recovery ;

H. B. 483. To regulate the fine and forfeiture fund of Tuscaloosa county ;

And has ordered the last bill forthwith to the Senate without engrossment.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set forth in the foregoing House message, were severally read a first time and ordered to a second reading.

REPORTS FROM STANDING COMMITTEES.

Mr. Hargrove, from the judiciary committee, reported favorably, the bill—

H. B. 339. To require the payment of fines and forfeitures in Mobile county in lawful money of the United States.

Mr. Brooks of Mobile, offered an amendment, which was adopted, as follows :

Amend by adding to the first section, as follows: "Provided, that certificates issued before the passage of this act to witnesses for the State, shall be received in payment of fines and forfeitures, but not witness certificates issued after the passage of this act shall be so received;"

The bill was read a third time and passed—yeas 22, nays 2.

Yeas—Messrs. President, Bowles, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, Mitchell, Moorman, Norman, Oden, Orr, Pate, Seay, Street, Titcomb, Ware—22.

Messrs. Jackson and McClellan voted no.

Also, favorably, the bill—

s. 174. To provide for the better enforcement of sections 4208 and 4445 of the Code;

Which was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. President, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, Norman, Oden, Orr, Pate, Shelby, Smith, Street, Titcomb, Ware—24.

Also, favorably, the bill—

s. 182. To amend section 2811 of the Code;

Which was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, Norman, Oden, Orr, Pate, Seay, Shelby, Smith, Street, Titcomb, Ware—25.

Also, a substitute for the bill—

s. 117. To provide for the appointment of not exceeding two marshals for each precinct in the several counties of the State, who shall be bonded officers, and who shall have the same powers and be subject to the same laws governing the actions of constables, and entitled to the same fees.

The substitute was adopted, with caption as follows:

s. 117. To provide for the appointment of not exceeding two marshals for each precinct in the counties of Pike and Montgomery, who shall be bonded officers, and who shall have the same powers and be subject to the same laws governing the actions of constables and be entitled to the same fees;

The bill was read a third time and passed—years 24, nays 0.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, Norman, Orr, Pate, Seay, Smith, Street, Troy and Ware—24.

Also, reported favorably, the following amendment to the rules of the Senate—

Amend rule 17 by adding the following :

“Whenever a message is received from the Governor nominating any person to office, or containing any information which, in the opinion of the President, should be considered by the Senate in executive session, it shall be the duty of the President immediately, or if a question is pending, so soon as the pending question is disposed of, to direct that the doors be shut and the gallery cleared, as above provided, and to cause such message to be communicated to the Senate.”

The amendment was adopted.

Mr. Hargrove, from the judiciary committee, stated that he had been instructed by the judiciary to request that there be printed for the use of the General Assembly 150 copies each of the bills in the hands of the committee, relating to railroads, and numbered as follows : s. 169, 170, 171, 172, 178.

The request was acceded to, and the secretary was ordered to have printed for the use of the Senate and House 150 copies each of said bills.

Mr. McClellan, from the same committee, reported favorably, the bill—

s. 127. To amend an act to incorporate the Chewacla Lime Company, approved December 9, 1862, and to change the name thereof from Chewacla Lime Company to the Chewacla Lime Works ;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Moorman, Norman, Orr, Pate, Smith, Street, Ware—20.

Mr. Norman, from the same committee, reported a substitute for the bill—

s. 204. To change the time of holding the circuit courts of Lee and Bullock counties ;

The substitute was adopted, with caption, as follows :

s. 204. To change the time of holding the circuit court of Bullock county ;

The bill was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Bowles, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, Norman, Orr, Pate, Seay, Shelby, Street, Titcomb, Troy, Ware—22.

Mr. Titcomb, from committee on local legislation, reported favorably, the bill—

H. B. 133. For the relief of James B. Farmer, sheriff of Calhoun county ;

Which was read a third time and lost—yeas 4, nays 22.

Yeas—Messrs. Grant, Pate, Jackson, Ware—4.

Nays—Messrs. President, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, Norman, Oden, Orr, Seay, Shelby, Smith, Troy—22.

At the hour of 12 o'clock m.,

THE SPECIAL ORDER,

Which was the bill—

s. 57. To repeal section 4 of an act to amend section 4109 of the Code, and to provide for its enforcement, approved February 19, 1881, so far as the same relates to the counties of Lawrence and Colbert ;

Was taken up, and the pending motion to reconsider the vote ordering the bill to a third reading was lost.

On motion of Mr. Troy, the bill was indefinitely postponed.

Yeas 15, nays 8.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Mobile, Brown, Farnham, Gardner, Hargrove, Luckie, Norman, Orr, Smith, Street, Titcomb, Troy—15.

Nays—Messrs. Jackson, Jones, McClellan, Mitchell, Moorman, Pate, Seay, Shelby—8.

REPORTS FROM SPECIAL COMMITTEES.

By leave, Mr. Oden, from a special committee, reported favorably the bill—

s. 211. Authorizing the mayor and aldermen of the city of Wetumpka to donate a certain street for county purposes ;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, Norman, Oden, Orr, Pate, Seay, Shelby, Street, Titcomb, Troy, Ware—23.

Mr. Farnham, from a special committee, reported favorably the bill—

s. 213. To authorize the administrator of the estate of Y. S. Hirschfelder, late of Conecuh county, deceased, to sell the lands of said estate at private sale;

Which was read a third time and passed—yeas 17, nays 0.

Yeas—Messrs. Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Hargrove, McClellan, Mitchell, Moorman, Orr, Street, Thomas, Titcomb, Ware—17.

REPORTS FROM STANDING COMMITTEES.

Mr. Titcomb, from the committee on local legislation, reported favorably the bill—

H. B. 90. To amend an act, entitled an act to prevent in certain cases the sale, exchange and transportation of cotton in the counties of Montgomery, Bullock, Dallas, Russell, Lowndes, Wilcox, Sumter, Autauga, and in beats numbers one, two, three, four, five, six, seven, eight and nine of Hale county, and of cotton produced in said counties, approved February 1st, 1879, so as to embrace Brush Creek beat of Perry county in the provisions of said act;

Which was read a third time and passed—yeas 19, nays 2.

Yeas—Messrs. Brewer, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, Orr, Pate, Seay, Street, Titcomb, Troy, Ware—19.

Messrs. Jackson and Shelby voted no.

Also, favorably, the bill—

s. 187. To remove the estate of Mary A. Harrell, deceased, from Butler county to Lowndes county;

Which was read a third time and passed—yeas 19, nays 0.

Yeas—Messrs. Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, McClellan, Mitchell, Moorman, Norman, Orr, Seay, Smith, Street, Titcomb, Ware—19.

Mr. Brooks of Macon, from the committee on education, reported favorably, the bill—

s. 140. To establish and incorporate the Scott Academy, at Scottsboro, in Jackson county, Alabama ;

Which was read a third time and passed—years 17, nays 0.

Yeas—Messrs. Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, Orr, Pate, Street, Thomas, Titcomb, Ware—17.

Also, favorably, the bill—

s. 103. To incorporate the Rockford High School ;

Which was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, Oden, Orr, Pate, Street, Thomas, Titcomb, Troy, Ware—22.

Also, returned the bill—

s. 78. To incorporate "S. R. and R. M. Lowery Industrial Academy," at Huntsville, Alabama ;

Which was recommitted to the committee on internal improvements.

Mr. Brewer, from the committee on internal improvements, reported a substitute for the bill—

s. 123. To prevent cruelty to domestic animals.

The substitute was adopted, and the bill read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, Moorman, Norman, Oden, Orr, Pate, Seay, Shelby, Street, Titcomb, Ware—25.

Mr. Brewer, from the committee on internal improvements, reported favorably, with amendments, the bill—

s. 90. To incorporate the Scottsville Manufacturing Company.

The amendments were adopted, as follows :

Amend the title of said bill so as to read as follows :

"To incorporate the Scottsville Manufacturing Company, and to allow said company to construct railways and tramways to connect with other railways."

Amend section three, by striking out all after the words, "herein provided," down to and including the ninth (9th) line of said section, and inserting the following words in lieu thereof, to-wit : "and any increase of the capital stock of said company shall be made only in accordance with the existing constitution and laws of this State."

Also,

Amend by striking out section eight, and making section "nine" section "eight."

The bill was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Gardner, Griffin, Hargrove, Jones, Luckie, Mitchell, Moorman, Norman, Orr, Pate, Seay, Shelby, Street, Titcomb, Ware—20.

Also, favorably, the bill—

s. 61. To amend an act to require emigration agents plying their vocation in Barbour county and other counties therein named, to pay a license tax, approved January 30th, 1877 ;

Which was read a third time and passed—yeas 21, nays 7.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Jones, Luckie, Moorman, Oden, Orr, Seay, Smith, Street, Titcomb, Ware—21.

Nays—Messrs. Hargrove, Jackson, Mitchell, Norman, Pate, Shelby, Troy—7.

By leave, Mr. Brooks of Mobile, from the finance committee, reported favorably, the bill—

s. 109. To diminish the public debt of the State ;

Which was postponed and made a special order for Wednesday next.

MESSAGE FROM THE GOVERNOR, BY W. G. HUTCHESON,
RECORDING SECRETARY.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., January 26th, 1883.

Gentlemen of the Senate and House of Representatives :

Pursuant to the provisions of an act entitled,

H. B. 85. "An act to provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee and Pickens, arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies," enacted by the General Assembly and approved December 7th, 1882, I herewith transmit to you the report of Robert H.

Abercrombie, the Commissioner appointed according to the provisions of said act.

E. A. O'NEAL,
Governor.

On motion of Mr. Hargrove, the message, with accompanying report, was tabled, and five hundred copies ordered printed.

ADJOURNMENT.

At 1:45 p. m., on motion of Mr. Jackson, the Senate adjourned.

TWENTY-EIGHTH DAY.

SATURDAY, January 27, 1883.

The Senate met pursuant to adjournment.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Orr, Pate, Seay, Shelby, Smith, Street, Titcomb, Ware—24.

The journal of yesterday was read and approved.

CALL OF THE DISTRICTS.

Bills were introduced:

By Mr. Jackson—

s. 253. To authorize and empower the Governor to appoint inspectors of coal oil, gasoline, carbon oil, or any other product of petroleum used for illuminating fluids.

By Mr. Hargrove—

s. 255. To secure impartial juries for the trial of capital cases.

Also,

s. 256. To secure impartial grand and petit juries for the circuit, criminal and city courts having criminal jurisdiction.

By Mr. Jones—

s. 257. To prevent the separation of jurors in felony cases, or in civil cases where the amount in controversy exceeds five hundred dollars.

By Mr. Seay—

s. 258. To amend section 5059 of the Code.

By Mr. Grant—

s. 259. To authorize M. T. Moody, township superintendent of township thirteen (13), range (10), in Calhoun county, or his successor in office, to sell certain school property in the town of Cross Plains, and re-invest the proceeds in other school property in said town.

By Mr. Hargrove—

s. 260. To aid and encourage education in the branches of learning related to agriculture and the mechanic arts.

By Mr. Brewer—

s. 261. To amend section one (1) of an act for the preservation of game animals and birds in the counties of Mobile, Monroe, &c., approved February 13, 1879.

Which were severally read the first time and ordered to a second reading.

Mr. Shelby presented—

s. 254. A memorial of citizens of Marshall county for the repeal of the present election law;

Which was referred to the committee on privileges and elections.

BILLS ON SECOND READING.

The bills—

s. 248. To prevent the sale, or gift, of toy pistols in this State;

s. 252. To incorporate the Uniontown and Newbern Railroad Company;

s. 251. To amend section 2126 of the Code;

H. B. 49. To protect innocent purchasers without notice of mortgaged personal property;

H. B. 171. To enable mortgagees and beneficiaries to protect their interests by purchasing at sale under powers in mortgages, and deeds of trust, and to define the rights of mortgagor and mortgagee in certain cases;

H. B. 157. To punish stealing of dogs, and provide for their recovery;

H. B. 156. To amend section 4218 of the Code;

Were severally read a second time and referred to the committee on the judiciary.

The bill—

H. B. 483. To regulate the fine and forfeiture fund of Tuscaloosa county;

Was read a second time and referred to the committee on municipal and county organizations.

The bills—

H. B. 104. To amend section 1515 of the Code ;

H. B. 110. To amend section 2678 of the Code ;

s. 279. To amend section 29 of the Code ;

Were severally read a second time and referred to the committee on revision of laws.

The bill—

s. 246. To prevent stock from running at large in China Grove beat, in Pike county ;

Was read a second time and referred to the committee on local legislation.

The bill—

s. 245. To constitute the town of Tuskegee a separate school district ;

Was read a second time and referred to the committee on education.

The bill—

s. 244. To provide for the voluntary payment of taxes in Lee and Chambers counties ;

Was read a second time and referred to a special committee consisting of Messrs. Pate, Brown and Orr.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

January 27, 1882.

Mr. President :

The House has passed, without amendment, the bill—

s. 8. To refund certain moneys paid for license to State and counties.

And has originated and passed the bills—

H. B. 165. To amend section 3317 of the Code.

The bills, hereinafter set out, being ordered to the Senate forthwith without engrossment :

H. B. 475. To repeal section 3 of an act "to prevent the selling of vinous, spirituous or malt liquors, beverages, or bitters composed in whole, or in part, of such spirituous or malt liquors in the county of Bullock, except by regularly licensed druggists upon the prescription of licensed physicians, and to provide a local option law for the sale of such liquors, beverages or bitters in incorporated towns or cities

in said county having a population of two hundred and fifty, or more, approved February 28, 1881, and to amend the title of the same.

H. B. 249. To constitute the town of Anniston a separate school district.

H. B. 588. To increase the powers of the mayor and aldermen of the city of Huntsville.

H. B. 537. To fix the time of holding the circuit courts in the 6th judicial circuit of the State of Alabama.

H. B. 285. To amend section 823 of the Code.

And has concurred in the Senate amendment to the bill—

H. B. 339. To require the payment of fines and forfeitures in Mobile county in lawful money of the United States.

The House has amended, as therein shown, and as amended, has concurred in the Senate joint resolution relative to the appointment of a joint committee to consider the crop lien law.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set forth in the foregoing House message, were severally read a first time and ordered to a second reading.

The Senate concurred in the House amendment to the Senate joint resolution relative to the crop lien law.

The President appointed three additional members on said committee—Messrs. Gardner, Jones and Shelby.

REPORTS FROM COMMITTEES.

Mr. Farnham, from a special committee, reported favorably the bill—

H. B. 388. To amend an act to fix the time of holding the circuit courts in the 2d judicial circuit, approved February 13, 1879 ;

Which was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, McClellan, Mitchell, Orr, Seay, Shelby, Street, Titcomb, Troy, Ware—22.

Mr. McClellan, from the committee on municipal and county organizations, reported favorably the bill—

H. B. 397. To amend section three (3) of an act entitled an act to incorporate the town of Cherokee, in Colbert county, approved December 7, 1871;

Which was read a third time.

By unanimous consent, Mr. Jackson offered an amendment, as follows:

Amend by striking out the words, "with a ball and chain," from the bill.

The amendment was adopted and the bill passed—yeas 22, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Jackson, Jones, McClellan, Orr, Pate, Shelby, Smith, Street, Titcomb, Troy—22.

Also, favorably the bill—

s. 208. To amend an act to incorporate the town of Davisville, in Calhoun county, Alabama, approved December 18, 1880;

Which was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Orr, Seay, Shelby, Street, Titcomb, Troy, Ware—24.

Mr. Billups, from the temperance committee, reported favorably, the bill—

s. 228. To prohibit the manufacture, sale, giving away, or otherwise disposing of any spirituous, vinous or malt liquors, or intoxicating bitters or beverages of any kind, within the limits of the county of Jackson;

Which was read a third time and passed—yeas 22, nays 2.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Orr, Seay, Smith, Street, Titcomb, Troy, Ware—22.

Nays—Messrs. Jackson and Shelby—2.

Also, favorably, the bill—

H. B. 131. To amend section 1545 of the Code.

Mr. Brooks of Mobile, offered an amendment.

Lost.

Mr. Troy offered an amendment;

Which was tabled, on motion of Mr. Hargrove.

Mr. Bowles offered an amendment.

Lost.

Mr. Brooks of Mobile, offered an amendment, and pending its consideration, the hour of 12 m. arrived, and the Senate proceeded to consider .

THE SPECIAL ORDERS.

First.

The bill—

H. B. 70. To allow the sheriff of Crenshaw, Conecuh and Chilton counties the same compensation for executing process of any kind in the justice court, as is now allowed by law for same service in the circuit court ;

Was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Orr, Pate, Seay, Shelby, Smith, Street, Titcomb, Ware—22.

Second.

The bill—

H. B. 2. To pay the costs in the impeachment trial of Wiley E. Jones, probate judge of Barbour county ;

Was taken up.

Mr. Troy moved that the bill be recommitted to the judiciary committee, with instructions to report a substitute, allowing the examiner the compensation awarded to him by the supreme court, and directing that the residue of such costs shall be paid as now provided by law in respect to criminal cases in Barbour county.

Pending the consideration of the motion to recommit, on motion of Mr. McClellan, the bill was postponed and made a special order for Monday next.

Third.

The bill—

H. B. 39. To punish the obtaining of money or property by means of false promises ;

Was taken up.

Mr. Troy moved to table the adverse report.

Carried.

Mr. Troy moved to strike out the second section of the bill.

Mr. McClellan moved to indefinitely postpone the bill, with pending amendments.

Carried—yeas 14, nays 13.

Yeas—Messrs. President, Brooks of Macon, Brown, Farnham, Grant, Griffin, Hargrove, Jackson, McClellan, Oden, Orr, Pate, Shelby, Ware—14.

Nays—Messrs. Billups, Bowles, Brewer, Brooks of Mobile, Davidson, Gardner, Jones, Mitchell, Seay, Smith, Street, Titcomb, Troy—13.

LEAVE OF ABSENCE.

Mr. Moorman was granted indefinite leave of absence on account of sickness.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, January 27, 1883.

Mr. President :

The Governor has approved the following bill, which originated in the Senate :

s. 59. To establish a new charter for the city of Gadsden.

W. G. HUTCHESON,
Recording Secretary.

PRIVILEGED MOTION.

Mr. Jones arose to a question of privilege, and moved to reconsider the vote on the passage of the bill—

H. B. 388. To amend an act to fix the time of holding the circuit courts in the second judicial circuit, approved February 13, 1879.

And on his motion, the further consideration of the motion to reconsider was postponed and made the special order for Tuesday next.

ADJOURNMENT.

At 2 p. m., on motion of Mr. Smith, the Senate adjourned.

TWENTY-NINTH DAY.

MONDAY, January 29, 1883.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Howell, of Cleburne.

Present—Messrs President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Thomas, Titcomb, Ware—28.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted to Messrs. Gardner and Seay until to-morrow.

ENROLLED BILLS.

Mr. Orr, from the committee on enrolled bills, reported the following bill correctly enrolled :

s. 8. To refund certain moneys paid for license to the State and counties.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

January 29, 1883.

Mr. President :

The Speaker of the House having signed the following bills, your signature to the same is requested, viz :

H. B. 90. To amend an act entitled an act to prevent in certain cases, the sale, exchange and transportation of cotton in the counties of Montgomery, Bullock, Dallas, Russell, Lowndes, Wilcox, Sumter, Autauga, and in beats numbers 1, 2, 3, 4, 5, 6, 7, 8 and 9 of Hale county, and of cotton produced in said counties, approved February 1, 1879, so as to embrace Brush Creek beat of Perry county, in the provisions of said act;

H. B. 339. To require the payment of fines and forfeitures in Mobile county, in lawful money of the United States.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing report of the enrolling committee and House message.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. McClellan—

s. 262. To amend section 2826 of the Code;

Also,

s. 263. To amend section 2827 of the Code;

Also,

s. 264. To provide for the administration of exempted property of the estates of decedents against which the rights of exemption have been waived in cases of insolvency.

By Mr. Brown—

s. 266. To amend an act to incorporate the town of Scottsboro, approved January 20, 1870.

By Mr. Hargrove—

s. 267. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, at or within a half mile of the Tuscaloosa depot of the Alabama Great Southern Railroad, in Tuscaloosa county.

By Mr. Billups—

s. 268. To amend section 3259 of the Code;

Also,

s. 269. To fix the per diem and mileage of the county commissioners of Pickens county;

Also,

s. 270. To protect landlords against loss and damage by tenants, renters and others holding lands and premises under such landlords;

Also,

s. 271. To prohibit the manufacture and sale of spirituous, vinous or malt liquors, or intoxicating bitters, within three miles of the following Methodist Episcopal churches in

Pickens county: Hannah church, Hargrove church, Arbor Springs church and Evergreen church, in said county;

Also,

s. 272. To provide for the current expenses of Pickens county, during the vacancy of tax collector for said county.

By Mr. Brewer—

s. 273. To incorporate the town of Fort Deposit, in the county of Lowndes.

By Mr. Griffin (by request,)

s. 274. To amend section 5 of an act to establish a new charter for the city of Demopolis, approved March 28, 1783.

By Mr. Norman (with petition,)

s. 275. To permit stock to run at large in certain portions of Perote beat, in Bullock county, Alabama.

By Mr. Troy (from committee on federal relations,)

s. 277. To provide for a donation of books to the American Public Library, at Stuttgart, Germany;

Also (by request),

s. 278. To provide for the payment of costs in cases where persons convicted are sentenced to the penitentiary;

Also (from the judiciary committee),

s. 279. To amend section 739 of the Code as amended by an act approved December 7, 1878, so as to authorize the Governor to appoint county commissioners;

Also,

s. 280. To require the clerk of the board of revenue of Montgomery county to give bond;

Which were severally read the first time and ordered to a second reading.

PETITIONS.

Petitions were presented—

By Mr. Shelby—

s. 265. Petition of citizens of Madison county for repeal of present election laws;

Which was referred to the committee on privileges and elections.

By Mr. Norman—

s. 276. Petition of citizens of China Grove beat, in Pike county, against the passage of the stock law for said beat;

Which was referred to committee on local legislation.

BILLS ON SECOND READING.

The bills—

H. B. 165. To amend section 3317 of the Code ;

s. 256. To secure impartial grand and petit juries for the circuit, criminal and city courts, having criminal jurisdiction;

s. 255. To secure impartial juries for the trial of capital cases ;

s. 257. To prevent the separation of jurors in felony cases, or in civil cases, where the amount in controversy exceeds five hundred dollars ;

s. 258. To amend section 5059 of the Code ;

H. B. 537. To fix the time of holding the circuit courts in the sixth judicial circuit of the State of Alabama ;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

s. 253. To authorize and empower the Governor to appoint inspectors of coal oil, gasoline, carbon oil, or any other product of petroleum used for illuminating fluids ;

s. 261. To amend section one of an act for the preservation of game animals and birds, in the counties of Mobile, Monroe, etc., approved 13th February, 1879 ;

Were severally read a second time and referred to the committee on internal improvements.

The bills—

s. 259. To authorize M. T. Moody, township superintendent of township 13, range 10, Calhoun county, or his successor in office, to sell certain school property in the town of Cross Plains, and reinvest the proceeds in other school property in said town ;

s. 260. To aid and encourage education in the branches of learning related to agriculture and the mechanic arts ;

Were severally read a second time and referred to the committee on education.

The bill—

H. B. 285. To amend section 823 of the Code ;

Was read a second time and referred to the committee on finance.

The bill—

H. B. 249. To constitute the town of Anniston a separate school district ;

Was read a second time and referred to a special commit-

tee consisting of Messrs. Grant Davidson and Farnham, with leave to report at any time.

The bill—

H. B. 588. To increase the powers of the mayor and aldermen of the city of Huntsville ;

Was read a second time and referred to a special committee consisting of Messrs. Shelby, Troy and Davidson, with leave to report at any time.

The bill—

H. B. 475. To repeal section three of an act to prevent the selling of vinous, spirituous or malt liquors, beverages, or bitters, composed in whole or in part of such spirituous or malt liquors in the county of Bullock, except by regularly licensed druggists upon the prescription of licensed physicians, and to provide a local option law for the sale of such liquors, beverages or bitters, in incorporated towns or cities in said county having a population of two hundred and fifty, or more, approved February 28, 1881, and to amend the title of the same ;

Was read a second time and referred to the committee on temperance.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

January 29, 1883.

Mr. President :

The House has appointed as the joint committee to consider the crop lien law : Messrs. Simpson, Nesmith, Smith of Autauga, John, Hawkins of Barbour, Griffin, Hamilton and Hammond ;

And has concurred in the Senate amendments to the bills—

H. B. 70. To allow the sheriff of Crenshaw county, Conecuh and Chilton counties the same compensation for executing proceeds of any kind in the justice court, as is now allowed by law for same service in the circuit court ;

H. B. 397. To amend section three of an act entitled an act "To incorporate the town of Cherokee, in Colbert county," approved December 7, 1871.

And has amended, as therein shown, and as amended, has passed the bill—

s. 11. To amend section 435 of the Code, as to the counties of Montgomery, Pickens, Sumter, Hale, Dallas, Barbour, Marengo, Jefferson and Perry.

And has passed the following bills, viz :

H. B. 245. To include the county of Cullman in the Seventh Congressional District of Alabama.

H. B. 128. To regulate the payment of fines and forfeitures in Talladega and Cullman counties.

H. B. 53. To provide for the election of county commissioners of roads and revenues.

H. B. 291. For the relief of Benjamin H. Craig, of Dallas county (accompanied by notice).

D. W. McIVER, Clerk.

HOUSE MESSAGE.

The House bills (Nos. 245, 128, 53, 291), the titles of which are set out in the foregoing House message, were severally read a first time and ordered to a second reading.

The Senate concurred in the House amendments to the Senate bill—

s. 11. To amend section 435 of the Code, as to the counties of Montgomery, Pickens, Sumter, Hale, Dallas, Barbour, Marengo, Jefferson and Perry.

Yeas 22, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, McSpadden, Norman, Orr, Pate, Rushing, Smith, Titcomb, Troy, Ware—22.

BILLS ON THIRD READING.

The bill—

H. B. 131. To amend section 1545 of the Code ;

Was taken up.

The pending amendment, offered by Mr. Brooks of Mobile, was adopted, as follows :

“Transpose the words ‘or to any persons of known intemperate habits or,’ so that they shall follow immediately after the word ‘guardian.’”

Mr. Brooks of Mobile, also offered an amendment, as follows :

Amend by inserting after the word "Sunday" the following: "for the purpose of carrying on business for which license is sought."

Mr. Billups moved to table the amendment.

Lost—yeas 6, nays 22.

Yeas—Messrs. Billups, Bowles, Brown, Farnham, Orr and Titcomb—6.

Nays—Messrs. President, Brooks of Macon, Brooks of Mobile, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, McSpadden, Norman, Oden, Pate, Rushing, Shelby, Smith, Street, Thomas, Troy, Ware—22.

The amendment was lost.

The bill was read a third time and passed—yeas 19, nays 5.

Yeas—Messrs. President, Bowles, Brooks of Mobile, Davidson, Farnham, Grant, Hargrove, Jones, Luckie, McClellan, Mitchell, McSpadden, Oden, Orr, Pate, Rushing, Street, Titcomb, Ware—19.

Nays—Messrs. Billups, Brown, Jackson, Shelby and Thomas—5.

REPORTS FROM STANDING COMMITTEES.

Mr. Billups, from the committee on temperance, reported favorably the bill—

H. B. 323. To amend section 1544 of the Code.

Mr. Titcomb offered an amendment,

And pending its consideration, the hour of 12 o'clock having arrived, the

SPECIAL ORDERS

Were taken up.

First.

The Senate proceeded to consider the bill—

H. B. 151. For the relief of Elisha B. Lott and his securities as tax collector of Mobile county.

Mr. Smith moved to recommit the bill to the committee on finance.

Lost.

The pending amendment, which is as follows:

Amend by adding the following proviso:

"Provided, That this act shall not take effect until all the

costs of the suit against said Lott to recover said taxes, and also the fees of the attorneys employed by the Governor to bring said suit, are paid."

On motion of Mr. McSpadden, was tabled—yeas 18, nays 11.

Yeas—Messrs. Billups, Bowles, Brooks of Mobile, Brown, Davidson, Grant, Griffin, Jackson, Luckie, Mitchell, McSpadden, Oden, Orr, Pate, Street, Thomas, Titcomb, Ware—18.

Nays—Messrs. President, Brewer, Farnham, Hargrove, Jones, McClellan, Norman, Rushing, Shelby, Smith, Troy—11.

Mr. Troy moved to adjourn.

Lost.

Mr. Troy offered an amendment, as follows:

Amend by adding the following: "And it shall be the duty of the Governor, Attorney-General and Auditor to ascertain what would be reasonable compensation to the attorneys employed to bring said suit for their services therein, and for the amount so ascertained, the Auditor shall draw his warrant on the Treasurer, to be paid out of any money in the treasury not otherwise appropriated."

Which, on motion of Mr. Brooks of Mobile, was laid on the table—yeas 16, nays 7.

Yeas—Messrs. Billups, Brooks of Mobile, Brown, Grant, Griffin, Hargrove, Jackson, Jones, McSpadden, Oden, Orr, Pate, Shelby, Street, Titcomb, Ware—16.

Nays—Messrs. President, Bowles, Brewer, Mitchell, Norman, Rushing, Troy—7.

Mr. Brewer moved to adjourn.

Lost.

Mr. Brewer moved to recommit the bill to the judiciary committee, with instructions to report by Saturday next at 12 o'clock, and the report be made a special order for that hour.

Lost.

Mr. Bowles offered an amendment.

ADJOURNMENT.

Pending the consideration of the amendment, Mr. Hargrove, at 3:15 p. m., moved to adjourn.

Carried.

THIRTIETH DAY.

TUESDAY, January 30, 1883.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Avent, of the House.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, McSpadden, Norman, Orr, Pate, Rushing, Shelby, Smith, Street, Thomas, Titcomb, Ware—28.

The journal of yesterday was read and approved.

By leave, on motion of Mr. Billups, the bill—

H. B. 537. To fix the time of holding the circuit courts in the sixth judicial circuit of the State of Alabama;

Was withdrawn from the judiciary committee and recommit-
mitted to a special committee, consisting of Messrs. Billups,
Luckie, Hargrove, Smith and Moorman.

ENROLLED BILLS.

Mr. Orr, from the committee on enrolled bills, reported the following bill correctly enrolled:

s. 11. To amend section 435 of the Code, as to the counties of Montgomery, Pickens, Sumter, Hale, Dallas, Barbour, Marengo, Jefferson, Perry, Chilton, Mobile, Conecuh and Monroe.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
January 30, 1883.

Mr. President:

The Speaker of the House having signed the following bills, your signature to the same is requested, viz:

H. B. 70. To allow the Sheriffs of Conecuh, Chilton, Monroe, Jefferson, Hale, Wilcox, Calhoun, Tuscaloosa, Bibb, Butler, Pickens, Marengo and Crenshaw counties the same compensation for executing process of any kind in the justice court as is now allowed by law for same service in the circuit court.

H. B. 397. To amend section three (3) of an act entitled "An act to incorporate the town of Cherokee, in Colbert county," approved December 7, 1871.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing report of the enrolling committee and House message.

CALL OF THE DISTRICTS.

Bills were introduced,

By Mr. Orr, (by request)—

s. 282. To incorporate the Morgan county co-operative association, patrons of husbandry, No. 367.

By Mr. McSpadden—

s. 283. To prevent drunkenness by persons holding office under the laws of Alabama for any county thereof.

By Mr. Brewer, (with notice and petition)—

s. 284. To authorize John A. Sanderson, administrator of the estate of E. L. Sanderson, deceased, of Montgomery county, to sell a lot of land belonging to said estate, at private sale.

By Mr. Griffin, (by request)—

s. 285. To amend an act to amend section 2681 of the Code, approved March 1st, 1881;

Also, (by request)—

s. 286. To amend an act to amend section 4731 of the Code;

Also, (by request)—

s. 287. To incorporate Dayton Academy.

By Mr. Rushing, (with notice)—

s. 288. To authorize and empower Mrs. E. C. Davis, (widow of J. J. Davis, deceased), to sell lands belonging to said estate at private sale.

By Mr. Thomas—

s. 289. To prohibit the sale of vinous, spirituous or malt liquors, within three miles of Mount Pleasant Church, in Barbour county, Alabama.

By Mr. Bowles—

s. 290. Authorizing the Governor to relieve the owners of State bonds, who have lost the same, upon obtaining satisfactory indemnity for the State.

By Mr. Gardner—

s. 291. To create a separate school district of certain fractional townships in Dallas county ;

Also,

s. 292. To provide for the proper delivery of freight by railroad companies, and persons operating railroads in this State.

By Mr. Farnham—

s. 293. To declare Pineywoods creek in Conecuh county, a public highway.

By Mr. Hargrove, (by request)—

s. 294. To make the clerk of the circuit court of Bibb county *ex-officio* clerk of the county court.

By Mr. Farnham, (by request)—

s. 295. To provide for the comfort and accommodation of passengers at each of the depots along the line of every railroad operated by any railroad company, or person, in this State.

By Mr. Street—

s. 296. To provide for the adjustment of short freights and damaged goods before any collection is made of freight charges on such short freights and damaged goods by any railroad company or person operating a railroad in this State.

By Mr. McClelland, (by request) —

s. 297. To further regulate the trial of misdemeanors in Madison county.

By. Mr. Mitchell—

s. 298. To amend sections three and four of "an act to authorize the commissioners' court, or court or board of county revenue, of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Antauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry, to establish, or abolish districts in which stock may be prevented from running at large," approved February 28th, 1881, so far as the same relates to Russell county.

By Mr. Thomas—

s. 299. To provide compensation to circuit judges and chancellors for extra services performed by them.

By Mr. Grant—

s. 300. To constitute the town of Jacksonville, in Calhoun county, a separate school district ;

Which were severally read a first time and ordered to a second reading.

BILLS ON SECOND READING.

The bills—

H. B. 128. To regulate the payment of fines and forfeitures in Talladega and Cullman counties.

s. 262. To amend section 2826 of the Code ;

s. 263. To amend section 2827 of the Code ;

s. 264. To provide for the administration of exempted property of the estates of decedents against which the rights of exemption have been waived in cases of insolvency.

s. 268. To amend section 3259 of the Code ;

s. 270. To protect landlords against loss and damage by tenants, renters and others holding lands and premises under such landlords ;

s. 278. To provide for the payment of costs in cases where persons convicted are sentenced to the penitentiary ;

s. 279. To amend section 739 of the Code as amended by an act approved December 7, 1878, so as to authorize the Governor to appoint county commissioners ;

s. 280. To require the clerk of the board of revenue of Montgomery county to give bond ;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

s. 266. To amend an act to incorporate the town of Scottsboro, approved January 20, 1870.

s. 273. To incorporate the town of Fort Deposit, in the county of Lowndes.

s. 274. To amend section 5 of an act to establish a new charter for the city of Demopolis, approved March 28, 1783.

Were severally read a second time and referred to the committee on municipal and county organizations.

The bills—

H. B. 291. For the relief of Benjamin H. Craig, of Dallas county ;

s. 269. To fix the per diem and mileage of the county commissioners of Pickens county ;

s. 275. To permit stock to run at large in certain portions of Perote beat, in Bullock county, Alabama.

Were severally read a second time and referred to the committee on local legislation.

The bills—

s. 267. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, at or within a half mile of the Tuscaloosa depot of the Alabama Great Southern Railroad, in Tuscaloosa county.

s. 271. To prohibit the manufacture and sale of spirituous, vinous or malt liquors, or intoxicating bitters, within three miles of the following Methodist Episcopal churches in Pickens county: Hannah church, Hargrove church, Arbor Springs church and Evergreen church, in said county;

Were severally read a second time and referred to the committee on temperance.

The bill—

s. 277. To provide for a donation of books to the American Public Library, at Stuttgart, Germany;

Was read a second time and referred to the committee on federal relations.

The bill—

H. B. 245. To include the county of Cullman in the seventh congressional district of Alabama;

Was read a second time and referred to the committee on revision of laws.

The bill—

H. B. 53. To provide for the election of county commissioners of roads and revenues;

Was read a second time and referred to the committee on privileges and elections.

The bill—

s. 272. To provide for the current expenses of Pickens county, during the vacancy of tax collector for said county;

Was read a second time and referred to the special committee on the debt settlement of that and other counties.

RESOLUTION.

By leave, Mr. Orr offered a resolution:

Resolved, That the speeches of Senators shall be restricted to fifteen minutes, unless they have leave to proceed;

Which, on motion of Mr. Shelby, was referred to the committee on rules.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., January 30, 1883.

Mr. President :

The Governor has approved the following bills, which originated in the Senate :

s. 64. To amend section 2944, as amended by an act entitled an act to amend section 2944 of the Code, approved February 8, 1881.

s. 62. To amend section 2591 of the Code.

s. 72. To amend an act, approved March 4, 1875, to incorporate the town of Elba, in Coffee county.

s. 85. To regulate the terms of the courts in the first judicial circuit of Alabama.

s. 133. To incorporate the Gesner Mining and Smelting Company.

s. 8. To refund certain moneys paid for license to the State and counties.

Respectfully,

W. G. HUTCHESON,
Recording Secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
January 30, 1883.

Mr. President :

The House has passed, without amendment, the bill—

s. 51. To better provide for the examination of the county offices, county jail, records of the courts of county commissioners and county chain gangs of Russell county, in this State, and report thereon.

And has originated and passed the bills—

H. B. 205. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages of any description whatever, at or within certain localities in this State hereinafter designated : At or within three miles of Godfrey High School, in Winston county; at or within two and a half miles of Uchee Academy, in Russell county; at or within three miles of Philadelphia and Liberty churches, in Marion county; at or within two miles of Saville church and school house, in

Crenshaw county; at or within three miles of Wesley Chapel school house, near Brock's Gap and Toad Vine, in Jefferson county; at or within four miles of Friendship Baptist church, Montgomery county; within South Lowell beat, No. 2, Walker county.

H. B. 551. To amend an act entitled an act to establish a new charter for the town of Marion, in the county of Perry, approved February 16, 1870.

H. B. 246. To include the county of Cullman in the third senatorial district of Alabama.

H. B. 598. To amend section 2 of an act to amend an act entitled an act to establish an inferior court of criminal jurisdiction for the county of Mobile, and to define the jurisdiction of said court, and the criminal jurisdiction of the justices of the peace in said county, approved February 23, 1881.

H. B. 597. To amend section 2 of an act to provide for the compensation of jurors in Mobile county, approved December 7, 1882.

H. B. 649. To authorize the board of revenue and road commissioners of Mobile county to increase the compensation of the treasurer of Mobile county.

H. B. 284. To fix the time of holding the circuit courts of the fifth judicial circuit.

And ordered the last bill forthwith to the Senate without engrossment.

And has adopted,

A joint resolution, herewith sent, directing the Attorney-General to inquire into the reasons why the Savannah and Memphis (now Columbus and Western) Railroad Company has not been completed.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills (Nos. 205, 551, 246, 598, 597, 649, 284) the titles of which are set forth in the foregoing House message;

Were severally read the first time and ordered to a second reading.

THE HOUSE JOINT RESOLUTION,

Set out in the above House message, was also read, and on motion of Mr. Troy, referred to the judiciary committee.

REPORTS FROM SPECIAL COMMITTEES.

Mr. Pate, from a special committee, reported favorably the bill—

s. 244. To provide for the voluntary payment of taxes in Lee and Chambers counties;

Which was read a third time and passed—yeas 27, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Hargrove, Jackson, Luckie, McClellan, Mitchell, McSpadden, Norman, Orr, Pate, Rushing, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—27.

Mr. Shelby, from a special committee, reported favorably the bill—

H. B. 588. To increase the powers of the mayor and aldermen of the city of Huntsville;

Which was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Hargrove, Jackson, Luckie, McClellan, Mitchell, McSpadden, Oden, Orr, Rushing, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—25.

The last two bills were ordered to the House forthwith.

Mr. Grant, from a special committee, reported favorably, with an amendment, the bill—

H. B. 249. To constitute the town of Anniston a separate school district.

The amendment was adopted, as follows :

Insert the words “for two years,” in fourth line of section 6, after the word “office.”

The bill was read a third time, and on motion of Grant, recommitted to the same committee, to which committee was added Mr. McSpadden.

BILLS ON THIRD READING.

The bill—

H. B. 323. To amend section 1544 of the Code;

Was taken up.

The pending amendment, offered by Mr. Titcomb, as follows :

“Strike out the word “twenty” and insert the words “a majority;”

Was, on motion of Mr. Billups, tabled.

Yeas 22, nays 6.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, McSpadden, Norman, Rushing, Shelby, Smith, Thomas, Troy, Ware—22.

Nays—Messrs. Brown, Grant, Oden, Orr, Street, Titcomb—6.

Mr. McClellan offered an amendment.

Mr. Farnham offered a substitute therefor;

And pending the consideration of the amendments, on motion of Mr. McClellan, the bill was recommitted to the temperance committee, with instructions to report by tomorrow at 12 o'clock, and the bill was made a special order for that hour.

UNFINISHED BUSINESS.

The Senate proceeded to consider the bill—

H. B. 151. For the relief of Elisha B. Lott and his securities, as tax collector of Mobile county.

The pending amendment being that offered by Mr. Bowles, as follows:

Amend by adding the following: "Provided, that the relief asked for in this bill shall be granted, upon the payment by Elisha B. Lott to the attorneys who brought the suits, \$750 of their attorneys fees, and all of the costs incurred in the litigation."

Mr. Ware moved to amend the amendment by striking out "\$750" and inserting "\$550."

Mr. Grant moved to table both amendments.

Lost—yeas 12, nays 16.

Yeas—Messrs. Brooks of Mobile, Brown, Gardner, Grant, Jackson, McSpadden, Oden, Orr, Pate, Street, Thomas, Titcomb—12.

Nays—Messrs. President, Bowles, Brewer, Davidson, Farnham, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Rushing, Shelby, Smith, Troy, Ware—16.

Mr. McClellan moved to table the amendment offered by Mr. Ware.

Lost—yeas 13, nays 18.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Farnham, Hargrove, Jones, McClellan, Mitchell, Norman, Rushing, Smith, Troy—13.

Nays—Messrs. Billups, Brooks of Mobile, Brown, David-

son, Gardner, Grant, Griffin, Jackson, Luckie, McSpadden, Oden, Orr, Pate, Shelby, Street, Thomas, Titcomb, Ware—18.

The amendment to the amendment was adopted—yeas 20, nays 11.

Yeas—Messrs. Billups, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Jackson, Luckie, McSpadden, Norman, Oden, Orr, Pate, Shelby, Street, Thomas, Titcomb, Ware—20.

Nays—Messrs. President, Bowles, Brewer, Farnham, Hargrove, Jones, McClellan, Mitchell, Rushing, Smith, Troy—11.

Mr. Hargrove moved to amend the amendment by striking out "of their," and inserting "as," before the word "attorneys."

Lost—yeas 14, nays 14.

Yeas—Messrs. Brooks of Mobile, Brown, Davidson, Gardner, Grant, Hargrove, Jackson, McSpadden, Orr, Pate, Rushing, Street, Thomas, Titcomb—14.

Nays—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Farnham, Griffin, Jones, Luckie, McClellan, Norman, Oden, Smith, Troy—14.

The amendment was adopted—yeas 16, nays 15.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Davidson, Griffin, Hargrove, Jones, McClellan, Mitchell, Rushing, Shelby, Smith, Troy, Ware—16.

Nays—Messrs. Brooks of Mobile, Brown, Farnham, Gardner, Grant, Jackson, Luckie, McSpadden, Norman, Oden, Orr, Pate, Street, Thomas, Titcomb—15.

The bill was read a third time and passed—yeas 21, nays 10.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Jackson, Luckie, Mitchell, McSpadden, Norman, Oden, Orr, Pate, Street, Thomas, Titcomb, Ware—21.

Nays—Messrs. President, Brewer, Farnham, Hargrove, Jones, McClellan, Rushing, Shelby, Smith, Troy—10.

At the hour of twelve, M., the Senate proceeded to consider the

SPECIAL ORDERS.

First.

The bill—

H. B. 306. To require stock buyers and shippers in the

county of Sumter to file a list and description of all stock bought by them, under oath, with a justice of the peace, and to require justices of the peace to keep a record of the same for the inspection of the public;

Was taken up.

On motion of Mr. Griffin, the county of Marengo was included in the provisions of the bill.

The bill was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, McClellan, Mitchell, McSpadden, Oden, Orr, Pate, Rushing, Smith, Street, Thomas, Troy, Ware—24.

Second.

The bill—

H. B. 2. To pay the costs in the impeachment trial of Wiley E. Jones, probate judge of Barbour county;

Was next taken up.

ADJOURNMENT.

Pending the consideration of the motion to recommit, at two o'clock p. m., on motion of Mr. Brewer, the Senate adjourned.

THIRTY-FIRST DAY.

WEDNESDAY, January 31, 1883.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Woodfin, of the city.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy, Ware—31

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Mr. Luckie was granted indefinite leave of absence.

PARTIAL REPORT OF COMMITTEE TO EXAMINE OFFICES OF THE
AUDITOR AND TREASURER.

Mr. Davidson, from the joint committee to examine the offices of the Auditor and Treasurer, stated that, in the absence of the chairman, Mr. Luckie, the committee had instructed him to report that they have examined the books of the Auditor and Treasurer, and find that the Treasurer is short in warrants for moneys claimed to be paid; that the committee have not counted the money balances for reasons doubtless known to the Senate, and, therefore, ask for further time in which to make a final report on the matters submitted to them.

The report was received and the committee granted further time to make their report.

RESOLUTION.

By leave, Mr. Brewer offered a joint resolution, proposing a joint committee to examine into the alleged defalcation in the office of the State Treasurer, and the condition of the bond of the State Treasurer, without delay, with power to send for persons and papers; said committee to report to this General Assembly.

Which, on motion of Mr. Gardner, was laid on the table.

ENROLLED BILLS.

Mr. Orr, from the committee on enrolled bills, reported the following bill correctly enrolled:

s. 51. To better provide for the examination of the county offices, county jail, records of courts of county commissioners and county chain-gangs of Russell county, in this State, and report thereon.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
January 31, 1883.

Mr. President :

The Speaker of the House having signed the following bill, your signature to the same is requested, viz :

H. B. 588. To increase the powers of the mayor and aldermen of the city of Huntsville.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing report of enrolling committee and House message.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
January 31, 1883.

Mr. President :

The House has adopted—

A joint resolution, herewith sent, relative to the appointment of a joint committee to investigate the accounts of the State Treasurer.

Committee—Messrs. Simpson, Muldon, John, NeSmith and Gere.

D. W. McIVER, Clerk.

HOUSE MESSAGE.

The Senate concurred in the House joint resolution, set out in the above message.

The President appointed, as the committee, on the part of the Senate under said resolution—

Messrs. Brewer, McSpadden and McClellan.

On motion of Mr. McSpadden, the House was notified forthwith of the concurrence in the above House joint resolution.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Jackson—

s. 301. For the relief of Miss Anna Pylas, of Colbert county.

By Mr. McSpadden—

s. 303. To prevent the pasturing of stock where there is no cross or division fence, and for other purposes.

By Mr. Moorman—

s. 304. To authorize the court of county commissioners of Madison county to levy and collect a special tax, not exceeding three-fourths of one per centum, on the taxable property in said county for the purpose of paying for the erection of the court house and jail of said county.

By Mr. Oden—

s. 305. To amend section 5035 of the Code;

By Mr. Bowles—

s. 306. To amend section 449 of the Code;

By Mr. Harrison, (Mr. Brooks of Mobile presiding)—

s. 307. To provide for the payment of the compensation and expenses of the commission appointed pursuant to an act to provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee and Pickens, arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies, approved December 7, 1882;

Also,

s. 308. To vacate and annul the charter and dissolve the corporation of the city of Opelika and to provide for the application of the assets thereof in discharge of the debts of the corporation;

Also,

s. 309. To incorporate the district of Opelika and to provide for the government thereof.

By Mr. Gardner (by request)—

s. 310. To settle the debt due attorneys on account of the suits against Elisha B. Lott, tax collector of Mobile county.

By Mr. Brooks of Mobile—

s. 311. To amend section 6 of an act to amend sections 1385, 1388, 1393, 1395 and 1396 of the Code, approved December 12, 1882.

By Mr. Oden—

s. 312. To amend section 1544 of the Code.

By Mr. Thomas—

s. 313. To define the term of the office of State and county treasurer;

Which were severally read a first time and ordered to a second reading.

Mr. Shelby presented a petition of citizens of Franklin county—

s. 302. To change the present election law;

Which was referred to the committee on privileges and elections.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Alabama, January 31, 1883.

To the Senate and House of Representatives :

It becomes my painful and mortifying duty to inform you that Isaac H. Vincent, the Treasurer of Alabama, is short in his accounts with the State, and has left the city. This fact was made known by Mr. Vincent in the following note to Mr. A. D. Crawford, the clerk in his office, dated the 29th inst., which was received by Mr. Crawford the afternoon of the 30th inst., and was communicated to me at 8:30 p. m. of that day :

STATE OF ALABAMA,
TREASURY DEPARTMENT,
Montgomery, Ala., January 29, 1883.

Dear Crawford :

I find this evening that my money is not here, neither has it been paid over to the Importers and Traders' Bank as promised. I leave for New York to straighten the whole matter. I have, perhaps, waited too long, and will be censured; but I have no idea of running away. I wish you would assist the committee, and after a balance is ascertained ask them to wait a day and telegraph me, care of Fred. Wolfe, New York. If anything happens to me, I wish to state positively and emphatically that being behind in my cash is my fault, and that you have nothing to do with it.

Your friend,

(Signed)

I. H. VINCENT.

The amount of Mr. Vincent's defalcation can only be ascertained after a careful examination of the Treasurer's books, and a careful count of the money in the treasury; but a hurried and partial investigation indicates that it is more than two hundred thousand dollars. It is not known by what train, or in what direction Mr. Vincent left Montgomery.

Means have been adopted to intercept and detain him if possible. It is believed the State is largely secured against ultimate loss. The two Houses will have communicated to them from time to time, any further information that comes into my possession.

E. A. O'NEAL, Governor.

On motion of Mr. Brewer, the Governor's message was referred to the joint committee appointed to investigate the accounts of the Treasurer.

BILLS ON SECOND READING.

The bills—

s. 283. To prevent drunkenness by persons holding office under the laws of Alabama for any county thereof ;

s. 284. To authorize John A. Sanderson, administrator of the estate of E. L. Sanderson, deceased, of Montgomery county, to sell a lot of land belonging to said estate, at private sale ;

s. 285. To amend an act to amend section 2681 of the Code, approved March 1st, 1881 ;

s. 286. To amend an act to amend section 4731 of the Code ;

s. 292. To provide for the proper delivery of freight by railroad companies, and persons operating railroads in this State ;

s. 295. To provide for the comfort and accommodation of passengers at each of the depots along the line of every railroad operated by any railroad company, or person, in this State ;

s. 296. To provide for the adjustment of short freights and damaged goods before any collection is made of freight charges on such short freights and damaged goods by any railroad company or person operating a railroad in this State ;

s. 297. To further regulate the trial of misdemeanors in Madison county ;

s. 299. To provide compensation to circuit judges and chancellors for extra services performed by them ;

H. B. 284. To fix the time of holding the circuit courts of the fifth judicial circuit of Alabama ;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

s. 287. To incorporate Dayton Academy;

s. 291. To create a separate school district of certain fractional townships in Dallas county;

s. 300. To constitute the town of Jacksonville, in Calhoun county, a separate school district;

Were severally read a second time and referred to the committee on education.

The bills—

s. 294. To make the clerk of the circuit court of Bibb county *ex-officio* clerk of the county court;

H. B. 551. To amend an act entitled an act to establish a new charter for the town of Marion, in the county of Perry, approved February 16, 1870;

H. B. 597. To amend section 2 of an act to provide for the compensation of jurors in Mobile county, approved December 7, 1882;

H. B. 598. To amend section 2 of an act to amend an act entitled an act to establish an inferior court of criminal jurisdiction for the county of Mobile, and to define the jurisdiction of said court, and the criminal jurisdiction of the justices of the peace in said county, approved February 23, 1881;

Were severally read a second time and referred to the committee on municipal and county organizations.

The bills—

s. 289. To prohibit the sale of vinous, spirituous or malt liquors, within three miles of Mount Pleasant church, in Barbour county, Alabama.

H. B. 205. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages of any description whatever, at or within certain localities in this State hereinafter designated: At or within three miles of Godfrey High School, in Winston county; at or within two and a half miles of Uchee Academy, in Russell county; at or within three miles of Philadelphia and Liberty churches, in Marion county; at or within two miles of Saville church and school house, in Crenshaw county; at or within three miles of Wesley Chapel school house, near Brock's Gap and Toad Vine, in Jefferson county; at or within four miles of Friendship Baptist church, Montgomery county; within South Lowell beat, No. 2, Walker county.

Were severally read a second time and referred to the committee on temperance.

The bills—

s. 282. To incorporate the Morgan county co-operative association, patrons of husbandry, No. 367 ;

s. 293. To declare Pineywoods creek in Conecuh county, a public highway ;

Were severally read a second time and referred to the committee on internal improvements.

The bills—

s. 288. To authorize and empower Mrs. E. C. Davis, (widow of J. J. Davis, deceased), to sell lands belonging to said estate at private sale ;

s. 298. To amend sections three and four of "an act to authorize the commissioners' court, or court or board of county revenue, of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry, to establish, or abolish districts in which stock may be prevented from running at large," approved February 28th, 1881, so far as the same relates to Russell county.

Were severally read a second time and referred to the committee on local legislation.

The bills—

s. 290. Authorizing the Governor to relieve the owners of State bonds, who have lost the same, upon obtaining satisfactory indemnity for the State ;

H. B. 649. To authorize the board of revenue and board of commissioners of Mobile county to increase the compensation of the treasurer of Mobile county ;

Were severally read a second time and referred to the committee on finance.

The bill—

H. B. 246. To include the county of Cullman in the third senatorial district of Alabama ;

Was read a second time and referred to the committee on revision of laws.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
January 31, 1883.

Mr. President :

The House has amended, as therein shown, and as amended, has passed the bill—

s. 175. To repeal an act to authorize the commissioners court, or court or board of county revenues of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry, to establish or abolish districts in which stock may be prevented from running at large, approved February 28, 1881, except in certain cases; so far as the county of Perry is concerned.

And has concurred in the Senate amendments to the bills—

H. B. 151. For the relief of Elisha B. Lott and his securities as tax collector of Mobile county.

H. B. 131. To amend section 1545 of the Code.

H. B. 306. To require stock-buyers and shippers in the county of Sumter to file a list and description of all stock bought by them, under oath, with a justice of the peace, and to require justices of the peace to keep a record of the same for the inspection of the public.

And has originated and passed the bills—

H. B. 265. To prohibit stock from running at large in Dallas county, except in certain portions of said county herein specified.

H. B. 622. To amend an act, approved December 12, 1882, and entitled "An act to amend an act entitled an act for the protection of lands and plantations from depredations by stock in Bullock county," approved December 8, 1882.

H. B. 621. To amend the charter of the town of Union Springs.

H. B. 27. To authorize the Governor to issue five "Class A" bonds of the State in exchange for that number of past due bonds of the State, issued under an act of the General Assembly of Alabama passed December 4, 1832, to increase the capital stock of the branch of the Bank of the State of Alabama, in the town of Montgomery.

H. B. 579. To define the jurisdiction of justices of the peace and of notaries public who are *ex officio* justices of the peace of precinct 21, in Jefferson county, and to provide for service of all process from their courts.

H. B. 435. To establish a separate school district in Marengo county, to be known as the Fawnsdale school district.

H. B. 612. To repeal sections 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241 and 242 of the Code of Alabama.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, numbered 265, 622, 621, 27, 579, 435 and 612, the titles of which are set out in the above message, were severally read a first time and ordered to a second reading.

The Senate concurred in the House amendments to the bill—

s. 175. To repeal an act to authorize the commissioners court, or court or board of county revenues of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry, to establish or abolish districts in which stock may be prevented from running at large, approved February 28, 1881, except in certain cases, so far as the county of Perry is concerned.

Yeas 22, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Grant, Griffin, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Street, Titcomb—22.

REPORTS FROM SPECIAL COMMITTEE.

By leave, Mr. Farnham, from a special committee, reported favorably the bill—

s. 215. To establish a board of revenue for Conecuh county;

Which was read a third time and passed—yeas 19, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Grant, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Rushing, Street—19.

Also, favorably, the bill—

s. 214. To abolish the court of county commissioners of Conecuh county;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Mobile, Brown, Farnham, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Street, Titcomb—20.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
January 31, 1883.

Mr. President :

The House has amended, as therein shown, and concurred in the bill—

s. 111. Joint resolution and memorial to the Congress of the United States, asking the passage of bill (s. 1667), granting certain franchises to the St. Louis, Montgomery and Florida Railroad and Immigration Company ;

And has adopted the joint resolutions herewith sent, relative to authorizing the appointment of a suitable person to receive all moneys that may be due the State, till a treasurer can be appointed, &c. ;

And a joint resolution authorizing the Governor to offer, in case of enormous crimes, a reward of not exceeding \$2,000 for the arrest of the criminal.

D. W. McIVER, Clérk.

HOUSE MESSAGES.

The Senate bill, 111, set out in the above message, with the House amendment thereto, was referred to the committee on federal relations.

The joint resolution set out in the above message,

The appointment of a suitable person to receive money due the State, etc. ;

Was referred to the committee on finance.

The joint resolution in the above message, authorizing the Governor to offer rewards, etc., was referred to the committee on the judiciary.

At 12 o'clock, the

SPECIAL ORDERS

Were taken up.

First.

On motion of Mr. Bowles, the bill—

H. B. 388. To amend an act to fix the time of holding the circuit courts in the second judicial circuit, approved February 13, 1879 ;

Was taken up out of its regular order, among the special

orders, and the motion to reconsider the vote on its passage prevailed.

Mr. Bowles moved to reconsider the vote ordering the bill to a third reading.

Carried.

Mr. Bowles moved to amend the bill as follows :

Add to section one, "provided that the criminal docket shall be taken up in the counties of Crenshaw and Covington on Wednesday of the first week of said courts."

Agreed to.

The bill was read a third time and passed—yeas 26, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy, Ware—26.

Second.

The bill—

H. B. 2. To pay the costs in the impeachment trial of Wiley E. Jones, probate judge of Barbour county ;

Was taken up.

Mr. Troy's motion to recommit was lost—yeas 3, nays 25.

Yeas—Messrs. Brewer, Grant, Troy—3.

Nays—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Farnham, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Thomas, Titcomb—25.

Mr. Brooks moved to recommit to the judiciary committee with instructions to report a general bill.

Lost.

The bill was read a third time and passed—yeas 17, nays 8.

Yeas—Messrs. President, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Griffin, Hargrove, Jackson, Jones, McClellan, McSpadden, Norman, Pate, Shelby, Smith, Thomas—17.

Nays—Messrs. Billups, Brewer, Mitchell, Oden, Orr, Rushing, Street, Troy—8.

Third.

The bill—

s. 109. To diminish the public debt of the State ;

Was taken up and, on motion of Mr. Brewer, tabled.

REPORTS OF STANDING COMMITTEES.

Mr. Billups, from the temperance committee, reported adversely to the pending amendments thereto, and favorably to the bill—

H. B. 323. To amend section 1544 of the Code ;

The adverse report upon the amendments was concurred in.

The bill was read a third time and passed—yeas 18, nays 2.

Yeas—Messrs. Billups, Bowles, Brooks of Mobile, Brown, Farnham, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Rushing, Smith, Street, Titcomb—18.

Nays—Messrs. Brooks of Macon, and Troy—2.

Also, favorably, the bill—

H. B. 167. To amend section first of an act approved December 8th, 1873, to prohibit the sale or giving away of spirituous liquors within five miles of Sulphur Spring's church, Cane Creek church, Oak Bowery church, Mount Zion church, and Hebron church, in Calhoun county ; and Blue Eye church, Refuge church, Patton's Chapel church, Bethel church, Forest Hill church, and the colored people's church (near Forest Hill), in Talladega county, Alabama ;

Which was read a third time and passed—yeas 12, nays 6.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brown, Farnham, Jones, Mitchell, Moorman, McSpadden, Orr, Rushing, Thomas—12.

Nays—Messrs. Brooks of Mobile, Hargrove, McClellan, Shelby, Smith, Street—6.

Also, favorably, with an amendment, the bill—

H. B. 448. To repeal an act entitled an act, to prohibit the manufacture or sale of spirituous, vinous and malt liquors within the limits of Macon county, Alabama, approved February 26th, 1881, so far as the same relates to beat number three, known as Society Hill beat, in said county.

The amendment was adopted as follows :

Insert after "Society Hill beat," the words, "and to the town of Tuskegee," in the bill and title.

The bill was read a third time and passed—yeas 19, nays 1.

Yeas—Messrs. President, Billups, Brooks of Macon, Brooks of Mobile, Farnham, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Rushing, Shelby, Smith, Street—19.

Mr. Orr voted no.

Mr. Hargrove, from the judiciary committee, reported favorably, the bill—

H. B. 1. To prevent the sale or exchange of cotton in the seed in Barbour county, and sale or exchange of said cotton produced in said county.

Mr. Thomas offered an amendment, which was adopted, as follows :

Amend by adding the following: "Provided that nothing in this act contained shall prevent a landlord from purchasing of his tenants cotton in the seed, grown by them on the land of said landlord.

"Provided, further, that the provisions of this act shall apply only to Hawkinsville, Spring Hill, Fort Browder and Eufaula beats in said county; but however, persons living in the beats exempt from the provisions of this act shall not have authority to purchase cotton in the seed grown in the beats covered by this act, and all persons so doing shall be guilty of a misdemeanor, and upon conviction, shall be subject to the penalties in this act provided for a violation of its provisions."

The bill was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Mobile, Brown, Farnham, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Smith, Street, Thomas, Titcomb—23.

Also, reported a substitute for the bill—

s. 106. To relieve defendants who have been admitted to bail, charged with any criminal offense from being in the custody of the sheriff, until on the trial of such defendant the jury retires to make up their verdict.

The substitute was adopted, with caption, as follows :

s. 106. To relieve defendants who have been admitted to bail, charged with a felony, from being in the custody of the sheriff, until on the trial of such defendant the jury retires to make up their verdict; and to relieve defendants, who have been admitted to bail charged with a misdemeanor from being in custody of the sheriff, until on the trial of such defendant, the jury, or county judge, trying the case, should render a verdict of guilty.

The bill was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Mobile, Brown, Farnham, Griffin, Hargrove, Jackson, Jones, McClellan,

lan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy—24.

Mr. Jackson moved to adjourn.

Lost.

Also, favorably, the bill—

s. 148. To provide for the collection of debts for which the statutory estates of married women are liable, when judgment is in justice's court ;

Which was read a third time and passed—yeas 22, nays 1.

Yeas—Messrs. President, Billups, Bowles, Brooks of Mobile, Brown, Farnham, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Shelby, Street, Titcomb, Troy—22.

Mr. Jackson voted no.

Also, a substitute for the bill—

s. 163. To amend section 2234 (1626) of the Code.

The substitute was adopted.

The bill was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Mobile, Brown, Farnham, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy—23.

ADJOURNMENT.

At 2 o'clock p. m., on motion of Mr. Pate, the Senate adjourned.

THIRTY-SECOND DAY.

THURSDAY, February 1, 1883.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Cumbie, of Tallapoosa.

Present—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—32.

The journal of yesterday was read and approved.

ENROLLED BILLS.

Mr. Orr, from the committee on enrolled bills, reported the following bill correctly enrolled :

s. 175. To repeal an act to authorize the commissioners court, or court, or board of county revenues of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry, to establish, or abolish, districts in which stock may be prevented from running at large, approved February 28, 1881, except in certain cases, so far as the county of Perry is concerned.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 1, 1883.

Mr. President :

The Speaker of the House having signed the following bills, your signature to the same is requested, viz :

H. B. 306. To require stock buyers and shippers in the county of Sumter to file a list and description of all stock bought by them, under oath, with a justice of the peace, and to require justices of the peace to keep a record of the same for the inspection of the public ;

H. B. 131. To amend section 1545 of the Code ;

H. B. 151. For the relief of Elisha B. Lott and his securities, as tax collector of Mobile county.

D. W. McIVER, Clerk.

SIGNING BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing report of the enrolling committee and House message.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
Montgomery, February 1, 1883.

Mr. President :

The Governor has approved the following bills, which originated in the Senate :

s. 11. To amend section 435 of the Code as to the counties of Montgomery, Pickens, Sumter, Hale, Dallas, Barbour, Marengo, Jefferson, Perry, Chilton, Mobile, Conecuh and Monroe.

s. 51. To better provide for the examination of the county offices, county jail, records of the courts of county commissioners, and county chain-gangs of Russell county in this State, and report thereon.

Very respectfully,
W. G. HUTCHESON,
Recording Secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 1, 1883.

Mr. President :

The House has originated and passed the following bills :

H. B. 213. To amend an act entitled an act for the relief of E. M. Grimmer, of Dale county, approved February 13th, 1879.

H. B. 577. In aid of the exercise of the power of disposal conferred on the Legislature of Alabama, by the act of Congress of June 3d, 1856, entitled an act granting public lands, in alternate sections, to the State of Alabama to aid in the construction of certain railroads in said State.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set forth in the foregoing House message, were severally read a first time and ordered to a second reading.

CALL OF DISTRICTS.

Bills were introduced—

By Mr. Oden—

s. 314. To amend an act to amend section one of an act to define the corporate limits of the city of Wetumpka.

By Mr. Jones—

s. 315. To amend section 3 of an act to alter and amend

the charter of the town of Camden, in Wilcox county, Alabama, approved February 8, 1858.

By Mr. Smith (by request)—

s. 316. To exempt social and literary clubs, where liquors are sold only to members and invited guests, from the payment of municipal license.

By Mr. Bowles—

s. 317. To provide for holding teachers' institutes in the several counties of this State.

By Mr. Grant (by request)—

s. 318. To protect the lands, crops and other property of J. W. Sparrow, of Barbour county, from depredations of stock belonging to parties residing in the stock law district in said county by including the lands of said Sparrow in the stock law district;

Which were severally read a first time and ordered to a second reading.

BILLS ON SECOND READING.

The bills—

s. 305. To amend section 5035 of the Code;

s. 306. To amend section 449 of the Code;

s. 307. To provide for the payment of the compensation and expenses of the commission appointed, pursuant to an act "to provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee and Pickens, arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies, approved December 7, 1882;"

s. 313. To define the term of the office of State and county treasurer;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

H. B. 27. To authorize the Governor to issue five "Class A" bonds of the State in exchange for that number of past due bonds of the State, issued under an act of the General Assembly of Alabama, passed December 4, 1832, to increase the capital stock of the Branch Bank of the State of Alabama, in the town of Montgomery;

s. 304. To authorize the court of county commissioners of Marion county, to levy and collect a special tax, not exceed-

ing three-fourths of one per centum on the taxable property in said county, for the purpose of paying for the erection of the court house and jail of said county ;

s. 310. To settle the debt due attorneys on account of the suits against Elisha B. Lott, tax collector of Mobile county ;

Were severally read a second time and referred to the committee on finance.

The bills—

H. B. 265. To prohibit stock from running at large in Dallas county, except in certain portions of said county herein specified ;

H. B. 579. To define the jurisdiction of justices of the peace and of notaries public, who are *ex officio* justices of the peace of precinct 21, in Jefferson county, and to provide for service of all process from their courts ;

H. B. 622. To amend an act, approved December 12, 1882, and entitled an act to amend an act entitled an act for the protection of lands and plantations from depredations by stock in Bullock county, approved December 8, 1880 ;

s. 301. For the relief of Miss Anna Pybas of Colbert county ;

Were severally read a second time and referred to the committee on local legislation.

The bill—

s. 303. To prevent the pasturing of stock where there is no cross, or division fence, and for other purposes ;

Was read a second time and referred to the committee on internal improvements.

The bill—

H. B. 435. To establish a separate school district in Marengo county, to be known as the Fawnsdale school district ;

Was read a third time and referred to the committee on education.

The bill—

s. 312. To amend section 1544 of the Code ;

Was read a second time and referred to the committee on temperance.

The bill—

s. 311. To amend section 6 of an act to amend sections 1385, 1388, 1393, 1395 and 1396 of the Code, approved December 12, 1882 ;

Was read a second time and referred to a special commit-

tee, consisting of Messrs. Brooks of Mobile, Griffin and Billups.

The bills—

s. 308. To vacate and annul the charter and dissolve the corporation of the city of Opelika, and to provide for the application of the assets thereof in discharge of the debts of the corporation ;

s. 309. To incorporate the district of Opelika, and to provide for the government thereof ;

Were severally read a second time and referred to a special committee, consisting of Messrs. Farnham, Jones and Norman.

The bill—

H. B. 612. To repeal sections 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241 and 242 of the Code of Alabama;

Was read a second time and referred to the committee on privileges and elections.

The bill—

H. B. 621. To amend the charter of the town of Union Springs;

Was read a second time and referred to a special committee, consisting of Messrs. Norman, Brooks of Macon and Billups.

REPORT OF SPECIAL COMMITTEE.

By leave, Mr. Grant, from a special committee, reported favorably the bill—

H. B. 249. To constitute the town of Anniston a separate school district ;

Which, having been read a third time, passed—yeas 25, nays 1.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Hargrove, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Ware—25.

Mr. Troy voted no.

The bill was ordered forthwith to the House.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 1, 1883.

Mr. President:

The House has concurred in the Senate amendments to the bills—

H. B. 448. To repeal an act entitled an act to prohibit the manufacture or sale of spirituous, vinous and malt liquors within the limits of Macon county, Alabama, approved February 26, 1881, so far as the same relates to beat No. 3, known as Society Hill beat, in said county.

H. B. 388. To amend an act to fix the time of holding the circuit courts in the second judicial circuit, approved February 13, 1879.

H. B. 249. To constitute the town of Anniston a separate school district.

H. B. 1. To prevent the sale or exchange of cotton in the seed in Barbour county, and sale or exchange of said cotton produced in said county.

D. W. McIVER, Clerk.

REPORTS FROM STANDING COMMITTEES.

Mr. Hargrove, from the judiciary committee, reported favorably, with an amendment, the bill—

s. 242. To amend section 4469 of the Code.

The amendment was adopted, as follows:

Amend by striking from the first section the last two lines.

Mr. Billups moved to strike out the words "or by some member of their body."

Lost.

The bill was read a third time and passed—yeas 25, nays 1.

Yeas—Messrs. President, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jackson, Jones, Mitchell, Moorman, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Troy, Ware—25.

Mr. Billups voted no.

Also, favorably, with an amendment, the bill—

s. 232. To repeal section 3, and amend an act, approved December 8, 1880, to prohibit stock from running at large in certain portions of Wilcox and Marengo counties.

The amendment was adopted, as follows :

Strike out section 5 and insert the following : "Section 5. The pound keeper should register the brands, marks and color of all stock received and sold by him, and should be entitled to the following fees per day : For every animal of the horse or mule kind, 50 cents; for every animal of the cow kind, 40 cents; for every animal of the sheep, goat or hog kind, 20 cents."

The bill was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Mitchell, Moorman, Orr, Pate, Rushing, Smith, Street, Titcomb, Ware—22.

Also, a substitute for the bill—

s. 255. To secure impartial juries for the trial of capital cases ;

The substitute was adopted, with caption as follows :

s. 255. To more effectually secure competent and well qualified jurors in the several counties of this State.

The bill was read a third time.

Mr. Jackson moved to reconsider the vote ordering the bill to a third reading.

On motion of Mr. McClellan, the motion to reconsider was tabled.

Yeas 26, nays 6.

Yeas—Messrs. President, Billups, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—26.

Nays—Messrs. Bowles, Hargrove, Jackson, Oden, Orr, Pate—6.

The bill passed—yeas 26, nays 4.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Jones, Luckie, McClellan, Mitchell, Moorman, Norman, McSpadden, Oden, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—26.

Nays—Messrs. Davidson, Hargrove, Orr, Rushing—4.

The bill was ordered to the House forthwith, without engrossment.

By leave, Mr. Luckie, from the committee on internal improvements, reported favorably the bill—

s. 229. To incorporate the Alabama and Mississippi Coal Company;

Which was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Farnham, Gardner, Grant, Hargrove, Jones, McClellan, Mitchell, Moorman, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—25.

The bill was ordered forthwith to the House.

Mr. Hargrove, from the judiciary committee, reported favorably the bill—

s. 251. To amend section 2126 of the Code;

Which, on motion of Mr. Seay, was postponed and made a special order for to-morrow at 11 o'clock a. m.

Also, favorably, the bill—

H. B. 22. To authorize the rendition of decrees of strict foreclosure in mortgage suits in equity.

ADJOURNMENT.

Pending the consideration of the bill aforesaid, at 2 p. m., on motion of Mr. Seay, the Senate adjourned.

THIRTY-THIRD DAY.

FRIDAY, February 2, 1883.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Howell of Cleburne.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Ware—31.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Mr. Davidson was granted leave of absence for two days.

REPORTS FROM SPECIAL COMMITTEE.

By leave, Mr. Brooks of Mobile, from a special committee, reported favorably, with an amendment, the bill—

s. 311. To amend section six of an act to amend sections 1385, 1388, 1393, 1395 and 1396 of the Code, approved December 12th, 1882.

The amendment was adopted, as follows :

Amend by adding after the word 'is,' in the 27th line, the following, "to be, or is."

The bill was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Griffin, Hargrove, Jackson, Jones, Luckie, Mitchell, Moorman, Norman, Orr, Pate, Rushing, Seay, Shelby, Street, Thomas, Titcomb, Ware—25.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 2, 1883.

Mr. President :

The Speaker of the House having signed the following bills, your signature to the same is requested, viz :

H. B. 448. To repeal an act entitled an act to prohibit the manufacture or sale of spirituous, vinous and malt liquors, within the limits of Macon county, Alabama, approved February 26, 1881, so far as the same relates to beat No. 3, known as Society Hill beat, and to the town of Tuskegee, in said county ;

H. B. 323. To amend section 1544 of the Code ;

H. B. 388. To amend an act to fix the time of holding the circuit courts in the second judicial circuit, approved February 13, 1879 ;

H. B. 249. To constitute the town of Anniston a separate school district ;

H. B. 1. To prevent the sale or exchange of cotton in the seed, in Barbour county, and sale or exchange of said cotton produced in said county ;

H. B. 2. To pay the costs in the impeachment trial of Wiley E. Jones, probate judge of Barbour county ;

H. B. 167. To amend section 1 of an act approved Decem-

ber 8, 1873, to prohibit the sale, or giving away of spirituous liquors within five miles of Sulphur Springs church, Cane Creek church, Oak Bowery church, Mount Zion church and Hebron church, in Calhoun county; and Blue Eye church, Refuge church, Patton's Chapel church, Bethel church, Forrest Hill church and the Colored People's church (near Forrest Hill), in Talladega county, Alabama.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing House message.

CALL OF THE DISTRICTS.

Bills were introduced:

By Mr. Brooks of Macon—

s. 320. To amend sections 1830, 1831 and 1838 of the Code.

By Mr. Griffin (by request),

s. 321. To amend section 24 of an act entitled an act "To organize and regulate a system of public instruction for the State of Alabama," approved February 7, 1879.

Also (by request),

s. 322. To suspend the operation of section six of article thirteen of the constitution.

By Mr. Seay—

s. 323. To amend section 2619 of the Code;

Also,

s. 324. To enable justices of the peace and notaries public in Hale county to impose hard labor in payment of costs.

By Mr. Brewer—

s. 325. To amend section three of an act to provide for the official declaration of election of certain officers in this State and to prescribe the time in which official bonds shall be given, approved 10th February, 1881.

Also,

s. 326. To dispose of any surplus that may be in the State Treasury in excess of the sum of one hundred thousand dollars at the close of each fiscal year.

By Mr. Troy—

s. 327. To authorize the Alabama State Bar Association to institute and prosecute proceedings to disbar practicing attorneys.

By Mr. Farnham (by request)—

s. 328. To authorize the commissioners court of Conecuh county to allow the probate judge of said county compensation for services therein specified ;

Which were severally read a first time and ordered to a second reading.

By Mr. Shelby—

s. 319. Memorial of citizens of Madison county, praying that the election law of 1876 be re-enacted ;

Which was referred to the committee on privileges and elections.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., January 30, 1883.

Mr. President :

The Governor has approved the following bill, which originated in the Senate.

s. 175. To repeal an act to authorize the commissioners court, or court or board of county revenues of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry, to establish or abolish districts in which stock may be prevented from running at large, approved February 28, 1881, except in certain cases, so far as the county of Perry is concerned.

I am also directed by his Excellency, the Governor, to communicate to the Senate a message in writing.

Respectfully,

W. G. HUTCHESON,
Recording Secretary.

The communication accompanying the Governor's message was read, as follows :

To the Senate and House of Representatives :

Looking to the arrest of Mr. Vincent, the defaulting State Treasurer, the police of the principal cities of the Union

have been notified of his offense and flight, and furnished with a description of his person.

The assistance of Pinkerton's Detective Agency has been secured. A description of the fugitive has been furnished the Associated Press, and yesterday morning was published in nearly every daily paper in the country. But I am not authorized by law to offer any adequate reward, and this incentive to effort is lacking, and precious time is being lost. I should be instructed to offer a reward of five thousand dollars, without further delay.

E. A. O'NEAL, Governor.

Mr. Brooks of Mobile, moved to refer the above communication to the judiciary committee, with instructions to report by bill or otherwise.

Mr. Hargrove moved as a substitute, that it be referred to the committee on finance.

The substitute was adopted, and the communication was so referred.

RESOLUTION.

By leave, Mr. Brooks of Mobile, offered a resolution, which was adopted, as follows:

Resolved, That the judiciary committee be instructed to inquire what legislation, if any, is necessary to declare vacancies in State offices, and to provide for the filling of such vacancies, and to report by bill or otherwise.

REPORT FROM SPECIAL JOINT COMMITTEE APPOINTED TO EXAMINE THE OFFICES OF AUDITOR AND TREASURER.

Mr. Luckie, from the special joint committee, submitted the following report, which was tabled and five hundred copies ordered printed for the use of the Senate:

REPORT.

MONTGOMERY, ALA., February 2, 1883.

To the Honorables, the President of the Senate and Speaker of the House of Representatives of Alabama:

The joint committee to examine the offices of the Auditor and Treasurer has performed its duties, as prescribed by

section No. 35 of the Code of Alabama, and submit this, their report, as required by section No. 36 of said Code, and that in the State's interest, the committee have extended their examinations up to and including January 31, 1883.

We find reported as cash

On hand September 30, 1880.....	\$ 353,533 75
Receipts of Cash for year ending September 30, 1881.....	719,105 10
Receipts of Cash for year ending September 30, 1882.....	786,573 58
Receipts of Cash from Oct. 1, 1882, to Jan. 31, 1883.....	203,465 39

Aggregate total cash to be accounted for.....\$2,062,677 82

AND EXPENDITURES

For year ending September 30, 1881.....	\$ 628,522 98
For year ending September 30, 1882.....	692,615 18
And from October 1, 1882, to January 31, 1883.....	152,887 13

Total expenditures.....\$1,474,025 29

Leaving balance to be accounted for.....\$ 588,652 53

In addition to this balance of \$588,652 53, Mr. A. D. Crawford, the clerk of the Treasurer, informs us that there was deposited for redemption of outstanding "State Obligations," which does not appear on the books, the sum of \$2,411 14, making aggregate total to be accounted for \$591,063 67.

2. That they have carefully examined the entries in the books of both offices, comparing and checking the vouchers, warrants, certificates and receipts with said entries, and find them to agree, one with the other, and to the best of the committee's information and knowledge, were drawn in conformity with the laws regulating the same.

3. That by an accurate count, they find that there was in the State treasury on January 31, 1883, the following sums, in currency, coin, bank checks and certificates of deposits, viz:

Currency.....	\$ 127,505 00
Currency in an envelope, on which is written "Thos. Williams' note," (the signification of which is unknown to your Committee)	328 15
Gold coin.....	27,103 50

SILVER COIN.

Amount of loose silver counted by the committee, of which there is mutilated or "punched coin," face value of \$24 00, \$1,710 05, and four bags and one box under seal of, and therefore guaranteed by the Merchants' and Planters' Bank of Montgomery, containing \$1,000 each, which seals your committee did not break, but report as marked to contain \$5,000, making total silver \$6,710 05.

Certificate of Deposit of Merchants' and Planters' Bank of Montgomery, No. 60.....	\$ 2,500 00
C. T. Pollard's check on Merchants' and Planters' Bank of Montgomery.....	2,933 62
Four Alabama Six per cent. Bonds, each \$500, purchased under act of 1880-81, costing.....	2,200 00
Memorandum, due bills, &c., of State officers, to be deducted from their respective pay accounts for month of January, 1883.....	1,061 66
Total available funds.....	\$ 170,341 98

4. The committee also find in the treasury the following unavailable assets, to-wit :

State obligations (Horse Shoe).....	\$ 40,000 00
State Certificates (Patton).....	280 00

Moneys reported by the Treasurer as "Uncurrent Bank Bills," which consist of bills of various banks, amounting to \$1,904. Three counterfeit bills, United States currency, amounting to \$155, and a receipt signed by Geo. H. Patrick, Clerk of the United States Court, dated Montgomery, Ala., May 8, 1872. Moneys paid in bills of Commercial Bank of Alabama, \$292. Aggregate total of uncurrent funds, as above, \$2,351.

Gold Certificate of Northern Bank of Alabama.....	\$35 05
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Swamp land funds, viz :

State Certificates.....	\$21,341 00
Currency	212 55
	\$ 21,552 55
Counterfeit money, not included in amount reported as "uncurrent bank bills".....	65 00

ALABAMA STATE BONDS.

Twelve (12) Funding Bonds, under act approved February 13, 1879, which have never been issued.....	6,000 00
Aggregate total unavailable assets.....	\$ 70,283 60

CREDITS TO TREASURER.

We find the following items not charged, to-wit :

Eight (8) warrants of Auditor on Treasurer, viz: account maimed soldiers' fund.....	14 77
Mileage and per diem to members General Assembly.....	119 30
Military fund.....	50 00
Aggregate.....	184 07

INTEREST PAYMENTS ON REGISTERED BONDS.

Ten (10) checks of Treasurer, amounting to.....	1,065 00
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INTEREST COUPONS.

Amount paid at Treasurer's office in Montgomery, January 1st to January 31st, 1882.....	9,502 00
Total credits as above.....	\$ 10,751 07

6. In recapitulation of the foregoing, your committee report :

Money balance which should be in the Treasury or accounted for.....	\$ 591,063 67
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To cover which, we find—

Available funds.....	\$ 170,341 98
Unavailable funds.....	70,283 60
Credits due Treasurer as per report.....	10,751 07
Credits	251,376 62
Apparent deficit.....	\$339,687 02

Of which amount we find from telegraphic advices to His Excellency the Governor, from the State depositories in the cities of New York and Mobile, there has

been paid by them interest coupons for the January interest on State bonds the sum of (about)..... 127,000 00
 evidencing the aggregate deficit so far as can now be ascertained by your committee to be.....\$ 212,687 02

7. Your committee would recommend, at the earliest practicable moment, that the requirements of the act "to authorize and require the Governor to destroy all uncurrent funds in the State treasury, and all the six per cent. bonds that have not been issued," approved December 12, 1882, be complied with, and the unavailable assets described be burned and destroyed as therein required.

8. Your committee further recommend that section 35 of the Code be amended so that it shall be the duty of examining committees to make the required examinations to cover for such fiscal year as the General Assembly may not be in session, and that legislation be taken so that such examinations as are provided for in said section 35 of the Code shall also extend to the offices of all the State officers having charge of moneys belonging to the State.

9. Your committee urgently suggest that the time allowed by law is not adequate for the proper performance of the duties required of them (unless members of the General Assembly on such committees shall neglect all other duties) to make proper and critical examination of the books and papers of the money-receiving and disbursing State officials, and would recommend that legislation be taken authorizing the Governor (when in his opinion the public interest so requires, but said examinations must be ordered at least twice in each fiscal year) to at any time employ an accountant, (who shall be an expert) to examine and report upon the books and accounts of the Treasurer and Auditor, and of all officers of the State entrusted with the care of public moneys of the State.

All of which is respectfully submitted.

J. B. LUCKIE,
 A. V. GARDNER,
 A. C. DAVIDSON,

Committee on the part of the Senate.

D. G. DUNKLIN,
 JOHN W. DOWLING,

Committee on the part of the House.

SAM'L C. MULDON,

Chairman of the Joint Committee.

BILLS ON SECOND READING.

The bills—

s. 315. To amend section 3 of an act to alter and amend the charter of the town of Camden, in Wilcox county, Alabama, approved February 8th, 1858 ;

s. 316. To exempt social and literary clubs, where liquors are sold only to members and invited guests, from the payment of municipal license ;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

s. 318. To protect the lands, crops and other property of J. W. Sparrow, of Barbour county, from depredation of stock, belonging to parties residing in the stock law district in said county by including the lands of said Sparrow in the stock law district ;

H. B. 213. To amend an act entitled an act for the relief of E. M. Grimmer, of Dale county, approved February 13th, 1879 ;

Were severally read a second time and referred to the committee on local legislation.

The bill—

s. 317. To provide for holding teachers' institutes in the several counties of this State ;

Was read a second time and referred to the committee on education.

The bill—

s. 314. To amend an act to amend section 1 of an act to define the corporate limits of the city of Wetumpka ;

Was read a second time and referred to the committee on municipal and county organizations.

The bill—

H. B. 577. In aid of the exercise of the power of disposal conferred on the Legislature of Alabama, by an act of Congress of June 3, 1856, entitled an act granting public lands, in alternate sections, to the State of Alabama to aid in the construction of certain railroads in said State ;

Was read a second time and referred to a special committee, consisting of Messrs. Hargrove, Troy and Billups, with leave to report at any time.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 2, 1883.

Mr. President :

The House has originated and passed the following bills:

H. B. 410. To amend sections 1994 and 1996 of the Code.

H. B. 481. To authorize the board of directors of the State Normal School and University for the colored race, at Marion, Perry county, to appropriate and expend certain educational funds in the repairing, improving and enlarging of the buildings of said Normal School and University.

H. B. 671. To authorize the superintendent of township 5, range 12 west, in Colbert county, to sell certain lands.

H. B. 333. To amend an act to establish a Normal School for colored teachers, at Tuskegee, approved February 10th, 1881.

H. B. 701. To amend an act to incorporate the Southern University, at Greensboro, in the county of Greene, and for other purposes, passed January 25th, 1856.

H. B. 561. To authorize the court of county commissioners of Conecuh county to issue the bonds of said county for an amount not exceeding ten thousand dollars for the purpose of building a court-house in said county.

And ordered the last bill forthwith to the Senate without engrossment.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set out in the foregoing House message, were severally read a first time and ordered to a second reading.

At the hour of 11 o'clock, the Senate proceeded to consider

THE UNFINISHED BUSINESS,

Which was the bill—

H. B. 22. To authorize the rendition of decrees of strict foreclosure in mortgage suits in equity.

Which was read a third time and lost—yeas 3, nays 27.

Yeas—Messrs. Hargrove, Norman and Troy—3.

Nays—Messrs. Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Ware—26.

THE SPECIAL ORDER,

Which was the bill—

s. 251. To amend section 2126 of the Code ;

Was taken up, read a third time and passed—yeas 21, nays 3.

Yeas—Messrs. Bowles, Brewer, Brooks of Mobile, Brown, Farnham, Griffin, Hargrove, Jackson, Jones, McClellan, Moorman, McSpadden, Norman, Orr, Rushing, Seay, Shelby, Smith, Street, Troy, Ware—21.

Nays—Messrs. Mitchell, Oden and Titcomb—3.

REPORT OF SPECIAL COMMITTEE.

By leave, Mr. Norman, from a special committee, reported favorably, with an amendment, the bill—

H. B. 621. To amend the charter of the town of Union Springs.

The amendment was adopted, as follows :

Amend by adding at the end of section 2, as follows :
 “ And the said mayor and two councilmen, whose appointment is hereby provided for, may compromise and settle with the holders of the bonds of said town, upon such terms as they may agree upon, and in payment thereof may issue the bonds of said town with coupons attached, for such sum or sums, and payable when and where, and with such rate of interest as may be agreed upon.”

“ Section 3. Be it further enacted, That the bonds and coupons issued in settlement or compromise of the outstanding bonded debt shall, after maturity, be receivable for taxes or other dues of said town ; and it shall be the duty of the mayor and council of said town to levy and assess and collect in addition to the taxes now authorized for other purposes, a tax on the taxable property of said town sufficient to pay the interest on said bonds as the same falls due, and also provide a sinking fund for the ultimate payment of the principal ; and in case the said mayor and council refuse or

fail to so levy, assess and collect, or to cause the same to be done; or in case there should be a vacancy in said offices of mayor and councilmen, then any court of competent jurisdiction may, by *mandamus* or other appropriate proceeding, order and require the same to be done, and the court may also upon application of the plaintiff in such *mandamus* or other proceeding, (besides or instead of proceeding against the said mayor and council by attachment,) direct the said levy, assessment and collection to be done by the sheriff of Bullock county, or some other person appointed by the court; and the same shall be at the cost and expense of the said town."

"Provided, That the provisions of this section shall only apply to bonds and coupons hereafter issued, and that in no one year shall there be levied and assessed a tax greater than one per centum upon the taxable property of said town."

Amend, also, by changing the numbering of sections 3 and 4, to numbers 4 and 5, respectively.

Amend, also, by inserting after the word "town," in the 12th line of section 1, these words: "such number of councilmen as will make the board of councilmen of said town consist of."

The bill was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Rushing, Seay, Street, Titcomb, Troy—24.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., February 2, 1883.

To the Senate and House of Representatives:

Herewith I lay before you the report of Eugene Allen Smith, State Geologist, for the years 1881 and 1882, with maps and engravings.

E. A. O'NEAL, Governor.

On motion of Mr. Hargrove, the Governor's message and accompanying documents were tabled.

RESOLUTION.

By leave, Mr. Hargrove offered the following joint resolution, which was adopted :

Resolved by the Senate, the House of Representatives concurring, That fifteen hundred copies of the report of the State Geologist, for the years 1881-82 be printed and bound in cloth, at a cost for binding not to exceed twenty-five cents per volume.

Resolved, further, That five hundred copies of the said report be placed at the disposal of the State Geologist for gratuitous distribution.

REPORTS OF STANDING COMMITTEES.

Mr. Hargrove, from the judiciary committee, reported favorably, the bill—

s. 170. To punish any servant of any corporation, or person owning or operating any railroad in this State, who shall in consequence of his intoxication, or any gross or willful misconduct or negligence, cause any loss of human life or the breaking of a limb, in the operation of any railroad in this State;

Which was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy—25.

Also, favorably, the bill, with an amendment—

s. 169. To punish any person who shall be maliciously concerned in causing an accident to any railroad, engine or car, by which the death of a human being is produced.

The amendment was adopted, as follows :

Add after the words "offending shall," the words "be deemed guilty of murder."

The bill was read a third time and passed—yeas 27, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Street, Thomas, Titcomb, Troy, Ware—27.

Also, favorably, the bill—

s. 166. To amend section 28 of an act entitled an act to provide for the regulation of railroad companies and persons operating railroads in this State ;

Which was read a third time and passed—yeas 26, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Thomas, Titcomb, Troy—26.

Also, favorably, the bill—

H. B. 247. To require the solicitors of this State to make annual reports to the Attorney General of the number of persons prosecuted upon criminal charges during the year preceding, in each of the counties in their respective jurisdictions, the character of the alleged offenses, the result of the trial, and the punishments imposed;

Which was read a third time and passed—yeas 26, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Shelby, Smith, Thomas, Titcomb, Troy, Ware—26.

Also, favorably, the bill—

H. B. 65. To amend an act entitled an act to amend section 2681 of the Code, approved March 1, 1881 ;

Which was read a third time and passed—yeas 21, nays 6.

Yeas—Messrs. Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Smith, Street, Troy, Ware—21.

Nays—Messrs. President, Billups, Gardner, Jackson, Shelby, Thomas—6.

For personal reasons, Mr. Seay was excused from voting on the passage of the foregoing bill.

Also, favorably, with an amendment, the bill—

H. B. 71. To increase the jurisdiction of justices of the peace in Dallas, Choctaw, Cherokee, Elmore, Sumter, Geneva, Montgomery, Autauga, Lowndes, Perry, Clay, St. Clair, Coosa, Hale, Russell, Barbour, Madison, Limestone and Marengo counties.

The amendment was adopted, as follows :

Amend by striking from the caption and bill the counties of Hale, Limestone and Montgomery.

Mr. Smith moved to strike out the county of Sumter.
Carried.

Mr. Brewer moved to strike out the county Lowndes.
Carried.

Mr. Shelby moved to strike out the county of Madison.
Carried.

Mr. Oden moved to strike out the counties of Elmore and Coosa.

Carried.

Mr. Rushing moved to strike out the county of Geneva.
Carried.

Mr. Titcomb moved to include the county of Monroe within the provisions of the bill.

Carried.

Mr. Thomas moved to strike out Barbour, but on his motion, he was allowed to withdraw the amendment.

On motion of Mr. Ware, the further consideration of the bill was postponed, and the bill was made a special order for Monday at 11 o'clock.

Also, favorably the bill—

H. B. 338. To amend section 1807 of the Code ;

Which was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Grant, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy—24.

Also, returned the bill—

H. B. 96. To incorporate the Mountain Mills Manufacturing and Railroad Company ;

Which was recommitted to the committee on internal improvements.

RESOLUTIONS.

By leave, Mr. Mitchell offered a resolution :

Resolved, That when on the call of reports from standing committees only one committee shall have had the floor during one day, on the next day the next succeeding committee shall be called.

Mr. Seay offered a substitute for the resolution, as follows:

Resolved, That no more special committees be raised, with leave to report at any time, until the call of the committees is disposed of, except by a four-fifths vote of the Senate.

On motion of Mr. Troy, the resolution and substitute were referred to the committee on rules.

By leave, Mr. Seay offered a resolution, which was adopted, as follows :

Resolved, That it be referred to the judiciary committee, to ascertain what legislation is necessary to carry into effect and impose a penalty, under section 23, article 14, of the constitution, and that said committee report by bill or otherwise.

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ADJOURNMENT.

At 2 o'clock p. m., on motion of Mr. Thomas, the Senate adjourned.

THIRTY-FOURTH DAY.

SATURDAY, February 3, 1883.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Shackelford, of the House.

Present—Messrs. President, Billups, Brooks of Macon, Brooks of Mobile, Brown, Gardner, Grant, Griffin, Hargrove, Luckie, McClellan, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—23.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Bowles and Farnham till Tuesday, and to Messrs. Norman and Mitchell for the day.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Orr—

s. 329. To better protect the citizens of Morgan county against mad, or rabid dogs.

By Mr. Shelby, (by request)—

s. 330. To fix and regulate the payment of witnesses on behalf of the State of Alabama.

By Mr. Billups, (with petition)—

s. 332. To prohibit the manufacture and sale of spiritu-

ous, vinous, or malt liquors within four miles of Unity church in Pickens county.

By Mr. Seay—

s. 333. To amend section seven of an act to confer additional jurisdiction upon the county court of Hale county, and to regulate the proceedings therein.

By Mr. Titcomb—

s. 335. To remove the chancery court from the town of Claiborne, in Monroe county, to the town of Monroeville in said county.

By Mr. McClellan, (by request)—

s. 336. To fix and regulate the payment of witnesses on behalf of the State.

By Mr. Seay, (by request)—

s. 337. To incorporate the Chicago, Selma and Mobile railroad ;

Which were severally read a first time and ordered to a second reading.

Memorials were presented :

By Mr. Shelby—

s. 331. Memorial of the citizens of Walker county, asking that the election law of 1876 be restored ;

Which was referred to the committee on privileges and elections.

By Mr. Brooks of Mobile—

s. 334. Joint memorial asking the passage by the Congress of the United States of Senate bill No. 2424, and joint resolution, asking its immediate transmission by the Governor ;

Which was adopted, and ordered to the House forthwith without engrossment.

BILLS ON SECOND READING.

The bills—

s. 320. To amend sections 1830, 1831 and 1838 of the Code.

s. 322. To suspend the operation of section six of article thirteen of the constitution.

s. 323. To amend section 2619 of the Code ;

s. 327. To authorize the Alabama State Bar Association to institute and prosecute proceedings to disbar practicing attorneys.

H. B. 410. To amend sections 1994 and 1996 of the Code.

Were severally read a second time and referred to the committee on the judiciary.

The bills—

s. 321. To amend section 24 of an act entitled an act "To organize and regulate a system of public instruction for the State of Alabama," approved February 7, 1879.

H. B. 333. To amend an act to establish a Normal School for colored teachers, at Tuskegee, approved February 10th, 1881.

H. B. 481. To authorize the board of directors of the State Normal School and University for the colored race, at Marion, Perry county, to appropriate and expend certain educational funds in the repairing, improving and enlarging of the buildings of said Normal School and University.

H. B. 671. To authorize the superintendent of township 5, range 12 west, in Colbert county, to sell certain lands.

Were severally read a second time and referred to the committee on education.

The bills—

s. 326. To dispose of any surplus that may be in the State Treasury in excess of the sum of one hundred thousand dollars at the close of each fiscal year.

s. 328. To authorize the commissioners court of Conecuh county to allow the probate judge of said county compensation for services therein specified;

Were severally read a second time and referred to the committee on finance.

The bill—

s. 324. To enable justices of the peace and notaries public in Hale county to impose hard labor in payment of costs;

Was read a second time and referred to the committee on local legislation.

The bill—

s. 325. To amend section three of an act to provide for the official declaration of election of certain officers in this State, and to prescribe the time in which official bonds shall be given, approved 10th February, 1881;

Was read a second time and referred to the committee on revision of laws.

The bill—

H. B. 701. To amend an act to incorporate the Southern University, at Greensboro, in the county of Greene, and for other purposes, passed January 25th, 1856;

Was read a second time and referred to a special committee consisting of Messrs. Seay, Luckie and Griffin.

The bills—

H. B. 561. To authorize the court of county commissioners of Conecuh county to issue the bonds of said county for an amount not exceeding ten thousand dollars, for the purpose of building a court-house in said county ;

Was read a second time and referred to the committee on municipal and county organizations.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 3, 1883.

Mr. President :

The House has originated and passed the following bills—

H. B. 651. To amend sub-division four of section 31, article three, of chapter two, of an act entitled an act to organize and regulate a system of public instruction for the State of Alabama, approved February 7th, 1879.

H. B. 196. To authorize the Railroad Commission of Alabama to prepare and recommend joint local freight rates to be used upon two or more railroads in this State, when such railroads are operated, or their operation controlled by one or more railroad companies, or by a system of railroad companies or persons.

H. B. 196. To require railroad companies, and persons operating any railroad in this State to keep such books of account as will clearly, correctly and distinctly set forth and show the earnings, receipts and expenditures of said railroad.

H. B. 187. To amend section 15 of an act to provide for the regulation of railroad companies and persons operating railroads in this State, approved February 26, 1881.

H. B. 185. To repeal section six of an act entitled an act to provide for the regulation of railroad companies and persons operating railroads in this State, approved February 26th, 1881.

H. B. 189. To repeal section twenty-six (26) of an act entitled an act to provide for the regulation of railroad companies and persons operating railroads in this State, approved February 26, 1881.

H. B. 661. To authorize the investment of certain revenues in the adjustment and settlement of the indebtedness of the

counties of Chambers, Lee, Pickens, Randolph and Tallapoosa, incurred on account of stock subscribed to railroad companies.

H. B. 45. To amend section one (1) of an act entitled an act to reduce the number of grand and petit jurors in Geneva county, approved February 5, 1877.

H. B. 787. To authorize the Governor to offer a reward in certain cases.

And ordered the last three bills to the Senate forthwith without engrossment.

s. 334. The House has concurred in the Senate memorial of the General Assembly of Alabama to the Congress of the United States, asking the passage of Senate bill No. 2424, entitled a bill to continue the work of improvement in the bay, harbor and port of Mobile, and joint resolution, asking its immediate transmission by the Governor.

Also, has concurred in the Senate joint resolution relative to the printing and binding of the Geological Report;

And has adopted the following joint resolution:

Relative to sustaining the Governor in offering a reward not exceeding \$5,000 for the arrest of the defaulting Treasurer;

And

H. B. 613½. Joint memorial of the General Assembly of Alabama to the Congress of the United States, praying for the passage of a bill to aid in the construction of the Gulf and Chicago Air Line Railroad.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set forth in the foregoing House message, were severally read a first time and ordered to a second reading.

On motion of Mr. Hargrove, 150 copies of H. B. 661, set out above, were ordered printed.

The House joint resolution, just received, was concurred in.

H. B. 613½. The House joint memorial (H. B. 613½) was referred to the committee on federal relations.

REPORTS OF STANDING COMMITTEES.

Mr. Troy, from the judiciary committee, reported a substitute for the bill—

H. B. 140. To provide for summary judgments, against judges of probate and tax collectors ;

Which was postponed and made a special order for Monday at 12 o'clock, on motion of Mr. Billups.

Also, returned the bill—

s. 220. To amend section 3916 of the Code, relating to appeals to the Supreme Court ;

Which, on motion of Mr. Troy, was tabled and 150 copies ordered printed for the use of the Senate.

Also, reported a substitute for the bill—

s. 193. To prevent monopolies in the transportation of freight, and to secure free and fair competition in the same. The substitute was adopted.

The bill was read a third time and passed—yeas 21, nays 1.

Yeas—Messrs. President, Billups, Brooks of Macon, Brooks of Mobile, Brown, Gardner, Grant, Griffin, Jackson, Jones, Moorman, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware.

Mr. Hargrove voted no.

Also, a substitute for the bill—

s. 168. To prevent railroad corporations, or persons operating railroads in this State, from transporting gun powder, dynamite, nitro-glycerine, or like explosive articles, in any baggage, mail, express or passenger car in this State.

The substitute was adopted.

The bill was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. Billups, Brooks of Macon, Brooks of Mobile, Brown, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—22.

Also, favorably, the bill—

s. 164. To authorize the railroad commission of Alabama to co-operate with the railroad commissioners of other States having railroad commissions, in recommending joint rates to said companies on lines extending out of the State of Alabama, and into other States, so as to avoid the effect of unjust discrimination by combined local rates, or otherwise ;

Which was read a third time and passed—yeas 20, nays 2.

Yeas—Messrs. Billups, Brooks of Macon, Brooks of Mobile, Brown, Grant, Griffin, Jones, Luckie, McClellan, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—20.

Messrs. Hargrove and Shelby voted no.

Also, favorably, the bill—

s. 165. To empower the railroad commission of Alabama to recommend joint local rates on freight to railroad companies and persons operating railroads in this State ;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. Billups, Brooks of Macon, Brown, Gardner, Grant, Griffin, Jones, Luckie, McClellan, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—20.

Mr. Seay, from same committee, reported a substitute for the bill—

s. 43. To relieve married women of the disabilities of coverture ;

Which, on motion of Mr. Seay, was postponed and made a special order for Monday next at 12 o'clock, and from day to day till disposed of, and 150 copies ordered printed.

Mr. McClellan, from same committee, reported a substitute for the bill—

s. 188. To amend section 2468 of the Code.

The substitute was adopted, with caption as follows :

s. 188. To amend an act to amend section 2468 of the Code, approved March 1, 1881.

The bill was read a third time and passed—yeas 19, nays 0.

Yeas—Messrs. President, Billups, Brooks of Mobile, Brown, Gardner, Grant, Hargrove, McClellan, Moorman, McSpadden, Orr, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—19.

Mr. Troy, from same committee, reported favorably the bill—

s. 216. To amend section 4228 of the Code, relating to the use of fire arms, while fighting in a public place ;

Which was read a third time and passed—yeas 21, nays 1.

Yeas—Messrs. President, Billups, Brooks of Mobile, Brown, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy—21.

Mr. Jackson voted no.

Also, favorably, the bill—

s. 217. To define and punish the offense of attempting to kill;

Which was read a third time and passed—yeas 23, nays 1.

Yeas—Messrs. President, Billups, Brooks of Macon, Brooks of Mobile, Brown, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—23.

Mr. Jackson voted no.

Also, favorably, with an amendment, the bill—

s. 212. To amend section 2088 of the Code;

Which, on motion of Mr. Troy, was postponed and made a special order for Monday at 12 o'clock.

Also, returned the bill—

s. 252. To incorporate the Uniontown and Newbern Railroad Company;

Which was recommitted to Committee on internal improvements.

By leave, Mr. McClellan, from the committee on municipal and county organizations, reported favorably, with an amendment, the bill—

s. 186. To permanently locate the seat of justice in Morgan county.

The amendment was adopted, as follows:

Add at the end of section one this proviso: "Provided, That this section shall not be so construed as to exclude the town of Somerville from competing for the permanent location of the county site at that point, in the election to locate such site, hereinafter provided for, or to prevent the re-location of the county site at the town of Somerville by the result of said election or elections."

The bill was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Mobile, Brown, Grant, Griffin, Hargrove, Jackson, Jones, McClellan, Moorman, McSpadden, Orr, Rushing, Seay, Shelby, Smith, Street, Ware—20.

Mr. Brooks of Mobile, from the committee on finance, reported favorably the bill—

H. B. 285. To amend section 823 of the Code;

Which, on motion of Mr. Brewer, was recommitted to the finance committee.

Also, favorably, the bill—

s. 236. To further regulate the payment of the fine and forfeiture fund script of Sumter county.

Mr. Pate moved to amend by including the county of Randolph within the provisions of said bill.

Carried.

Also,

To amend by adding to section three the words: "or if there is no newspaper in said counties, by posting at three public places in said counties."

Mr. Billups moved to amend by adding the county of Pickens to the bill.

Carried.

The bill was read a third time and passed—yeas 19, nays 0.

Yeas—Messrs. President Billups, Brooks of Mobile, Brown, Gardner, Griffin, Jones, McClellan, Moorman, McSpadden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy, Ware—19.

Also, favorably, the bill—

s. 235. To further regulate the payment of the general fund script of Sumter county;

Which was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Moorman, McSpadden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy, Ware—24.

Also, favorably, the bill—

H. B. 649. To authorize the board of revenue and board of commissioners of Mobile county, to increase the compensation of the treasurer of Mobile county;

Which was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Gardner, Grant, Griffin, Hargrove, Jones, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Ware—21.

By leave, Mr. Troy, from the committee on federal relations, reported favorably on concurrence by the Senate in the House amendment to the Senate—

s. 111. Joint resolution and memorial to Congress of United States, asking passage of bill (s. 1667) granting certain franchises to St. Louis, Montgomery & Florida Railroad and Immigration Company;

And the House amendment was concurred in.

ADJOURNMENT.

At 1:30 p. m., on motion of Mr. Billups, the Senate adjourned.

THIRTY-FIFTH DAY.

MONDAY, February 5, 1883.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hecht, of this city.

Present—Messrs. President, Billups, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Ware—29.

The journal of yesterday was read and approved.

ENROLLED BILLS.

Mr. Orr, from the committee on enrolled bills, reported the following joint resolutions and memorials correctly enrolled :

s. 111. Joint resolution and memorial to Congress of United States asking passage of bill (s. 1667) granting certain franchises to St. Louis, Montgomery and Florida Railroad and Immigration Company ;

s. 334. Memorial asking the passage, by Congress of the United States, of Senate bill No. 2424, and joint resolution, asking its immediate transmission by the Governor.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

February 5, 1883.

Mr. President :

The Speaker of the House having signed the following bills, your signature to the same is requested, viz :

H. B. 247. To require the solicitors of this State to make annual reports to the Attorney-General, of the number of persons prosecuted upon criminal charges during the year preceding, in each of the counties in their respective jurisdictions, the character of the alleged offenses, the result of the alleged offenses, the result of the trials and the punishment imposed ;

- H. B. 338. To amend section 1807 of the Code ;
 H. B. 65. To amend an act entitled an act to amend section 2681 of the Code, approved March 1, 1881.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing House message and report of the enrolling committee.

CALL OF DISTRICTS.

Bills were introduced—

By Mr. Oden—

s. 339. To amend section 4773 (4100) of the Code.

By Mr. Griffin—

s. 340. To amend section 19 of an act entitled an act "To establish a new charter for the city of Demopolis, approved March 28, 1873."

By Mr. Smith—

s. 341. To relinquish the claim of the State of Alabama to certain lands therein mentioned.

By Mr. Jones—

s. 342. To change the times of holding the chancery courts in the counties of Wilcox and Randolph.

By Mr. Troy—

s. 343. To authorize a subscription by the State to the third volume of Brickell's Digest of Alabama Reports ;

Which were severally read a first time and ordered to a second reading.

A memorial was presented—

By Mr. Shelby—

s. 388. Memorial of the citizens of Lawrence county, asking to have the election law of 1876 restored ;

Which was referred to the committee on privileges and elections.

BILLS ON SECOND READING.

The bills—

s. 330. To fix and regulate the payment of witnesses on behalf of the State of Alabama ;

s. 336. To fix and regulate the payment of witnesses on behalf of the State ;

H. B. 787. To authorize the Governor to offer a reward in certain cases ;

H. B. 189. To repeal section twenty-six of an act entitled an act to provide for the regulation of railroad companies and persons operating railroads in this State, approved February 26th, 1881 ;

H. B. 185. To repeal section six of an act entitled an act to provide for the regulation of railroad companies and persons operating railroads in this State, approved February 26, 1881 ;

H. B. 187. To amend section 15 of an act to provide for the regulation of railroad companies, and persons operating railroads in this State, approved February 26th, 1881 ;

H. B. 196. To require railroad companies and persons operating railroads in this State, to keep such books of account as will clearly, correctly and distinctly set forth and show the earnings, receipts and expenditures of said railroads ;

H. B. 190. To authorize the railroad commission of Alabama to prepare and recommend joint local freight rates to be used upon two or more railroads in this State, when such railroads are operated, or their operation controlled by one or more railroad companies, or by a system of railroad companies, or persons ;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

s. 333. To amend section 7 of an act to confer additional jurisdiction upon the county court of Hale county, and to regulate the proceedings therein ;

s. 335. To remove the chancery court from the town of Claiborne, in Monroe county, to the town of Monroeville, in said county ;

H. B. 45. To amend section 1 of an act entitled an act to reduce the number of grand and petit jurors in Geneva county, approved February 5, 1877 ;

Were severally read a second time and referred to the committee on local legislation.

The bills—

s. 329. To better protect the citizens of Morgan county against mad or rabid dogs ;

s. 337. To incorporate the Chicago, Selma and Mobile Railroad ;

Were severally read a second time and referred to the committee on internal improvements.

The bill—

s. 332. To prohibit the manufacture and sale of spirituous, vinous or malt liquors within four miles of Unity church, in Pickens county ;

Was read a second time and referred to the committee on temperance.

The bill—

H. B. 651. To amend sub-division 4, of section 31, article 3, of chapter 2, of an act entitled an act to organize and regulate a system of public instruction for the State of Alabama, approved February 7, 1879 ;

Was read a second time and referred to the committee on education.

The bill—

H. B. 661. To authorize the investment of certain revenues in the adjustment and settlement of the indebtedness of the counties of Chambers, Lee, Pickens, Randolph and Tallapoosa incurred on account of stock subscribed to railroad companies ;

Was read a second time and referred to the special joint committee on the debt settlement of those counties.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., February 5, 1883.

Mr. President :

The Governor has approved the following joint memorials and resolutions, which originated in the Senate :

s. 111. Joint resolution and memorial to the Congress of the United States, asking passage of bill (Senate 1667), granting certain franchises to the St. Louis, Montgomery and Florida Railroad and Immigration Company.

s. 334. Joint memorial asking the passage by the Congress of the United States of the Senate bill No. 2424, and joint resolution asking its immediate transmission by the Governor.

W. G. HUTCHESON,
Recording Secretary.

REPORT OF SPECIAL COMMITTEE.

By leave, Mr. Billups, from a special committee, reported favorably, with an amendment, the bill—

H. B. 537. To fix the time of holding the circuit courts in the sixth judicial circuit of the State of Alabama.

The amendment was adopted, as follows :

Strike out Sumter, in the twelfth line, and insert Pickens, and strike out Pickens, in the sixteenth line, and insert Sumter.

The bill was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Billups, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Mitchell, Moorman, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy, Ware—25.

At the hour of 11 o'clock, the Senate proceeded to consider

THE SPECIAL ORDER,

Which was the bill—

H. B. 71. To increase the jurisdiction of justices of the peace in Dallas, Choctaw, Cherokee, Elmore, Sumter, Geneva, Montgomery, Autauga, Lowndes, Perry, Clay, St. Clair, Coosa, Hale, Russell, Barbour, Madison, Limestone and Marengo counties.

By unanimous consent, Mr. Titcomb withdrew his amendment, inserting Monroe.

By unanimous consent, Mr. Smith was allowed to withdraw his amendment, striking out Sumter.

Mr. Brown moved to add Jackson.

Carried.

Mr. Ware moved to add Washington.

Carried.

Mr. Billups moved to insert Greene in the bill.

Carried.

In offering the amendment, Mr. Billups stated it was offered in deference to the opinion of his colleagues in the House, and that he would vote against the bill on its passage. At his request these reasons were ordered to be spread upon the journal.

Mr. Orr moved to add Morgan.

Carried.

Mr. Pate moved to add Randolph.

Carried.

Mr. Smith moved to amend by adding to the last section, "or may demand a jury, as provided in section 4695 of the Code."

Carried.

The bill was read a third time and passed—yeas 21, nays 6.

Yeas—Messrs. Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Jackson, Jones, Mitchell, Moorman, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Street, Titcomb, Ware—21.

Nays—Messrs. President, Billups, Hargrove, Luckie, Smith, Troy—6.

REPORTS FROM STANDING COMMITTEES.

Mr. Brooks of Mobile, from the finance committee, reported favorably the bill—

s. 328. To authorize the commissioners court of Conecuh county to allow the probate judge of said county compensation for services therein specified.

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Mitchell, Moorman, Norman, Orr, Rushing, Seay, Street, Titcomb, Troy, Ware—20.

Mr. Troy, from the committee on federal relations, reported favorably the bill—

s. 277. To provide for a donation of books to the American Public Library at Stuttgart, Germany;

Which was read a third time and passed—yeas 27, nays 0.

Yeas—Messrs. President, Billups, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, Mitchell, Moorman, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—27.

Mr. Mitchell, from the committee on the revision of laws, reported favorably, the bill—

s. 113. To amend an act to regulate and fix the time of holding the courts in the several counties composing the seventh judicial circuit, approved March 1, 1881:

Which was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Billups, Brooks of Mobile,

Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, Mitchell, Moorman, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Street, Titcomb, Troy, Ware—25.

Also, favorably, the bill—

s. 249. To amend section 29 of the Code ;

Which was read a third time and passed—yeas 23, nays 1.

Yeas — Messrs. President, Billups, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Griffin, Hargrove, Jones, Luckie, Mitchell, Moorman, Norman, Oden, Orr, Pate, Rushing, Seay, Smith, Street, Troy, Ware—23.

Mr. Grant voted no.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

February 5, 1883.

Mr. President :

The House has originated and passed the following bills :

H. B. 188. To repeal sections 5 and 33 of an act entitled an act to provide for the regulation of railroad companies and persons operating railroads in this State, approved February 26, 1881.

H. B. 658. To amend section 4373 of the Code.

H. B. 386. To regulate the weight of a bushel of cotton seed.

H. B. 194. To provide that any determination of any matter by the railroad commission of Alabama in the course of proceedings before said commission, relating to the regulation, or supervision of railroad companies, or persons operating any railroad in this State, and coming within the jurisdiction of said commission, proof of the fact of such determination so made by the said commission, shall be received in all courts, or other proceedings at law, or in equity, or before any officer as *prima facie* evidence that such determination of such matter by the said commission was right and proper.

H. B. 745. To authorize the Governor of the State to suspend sheriffs and tax collectors from exercising the functions of their office in cases of dereliction of duty.

H. B. 681. To provide for the safe keeping of the money in the treasury of the State ;

And has ordered the last two bills forthwith to the Senate without engrossment.

The House has concurred in the Senate amendment to the bill—

H. B. 537. To fix the time of holding the circuit courts in the sixth judicial circuit of the State of Alabama;

And has amended as therein shown, and, as amended, has passed the bill—

s. 138. To define some of the duties of the State Board of Health.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set out in the foregoing House message, were severally read a first time and ordered to a second reading.

The bill—

s. 138. To define some of the duties of the State Board of Health;

And the House amendment thereto, were taken up and recommended to the special committee, consisting of Messrs. Titcomb, Troy and Gardner.

At the hour of 12 o'clock, the Senate proceeded to consider—

THE SPECIAL ORDERS

for that hour.

First.

The bill—

H. B. 140. To provide for summary judgments against judges of probate and tax collectors,

Was taken up and the substitute was adopted.

On motion of Mr. Oden, the bill was indefinitely postponed—yeas 17, nays 13.

Yeas—Messrs. Billups, Brooks of Macon, Brooks of Mobile, Gardner, Grant, Jackson, Luckie, Moorman, McSpadden, Oden, Orr, Pate, Shelby, Street, Titcomb, Troy, Ware—17.

Nays—Messrs. President, Brewer, Davidson, Farnham, Griffin, Hargrove, Jones, McClellan, Mitchell, Norman, Rushing, Seay, Smith—13.

ADJOURNMENT.

At 2:30 p. m., on motion of Mr. McClellan, the Senate adjourned.

THIRTY-SIXTH DAY.

TUESDAY, February 6, 1883.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Orme, of the House.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—33.

The journal of yesterday was read and approved.

PRIVILEGED QUESTION.

Mr. Troy arose to a question of privilege, and moved to reconsider the vote on the indefinite postponement of the bill—

H. B. 140. To provide for summary judgments against judges of probate and tax collectors;

And on his motion the further consideration of the motion to reconsider was postponed, and made a special order for 12 o'clock on Thursday next.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 6, 1883.

Mr. President:

The Speaker of the House having signed the following bills, your signature to the same is requested, viz:

H. B. 649. To authorize the board of revenue and road commissioners of Mobile county to increase the compensation of the treasurer of Mobile county.

H. B. 537. To fix the time of holding the circuit courts in the sixth judicial circuit of the State of Alabama.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing House message.

CALL OF THE DISTRICTS.

Bills were introduced :

By Mr. McSpadden—

s. 346. To prevent officers of State or county from speculating or dealing in futures.

By Mr. Farnham (by request, with petition)—

s. 347. To prohibit the manufacture, or sale, or other disposition of vinous, spirituous, malt, or other intoxicating liquors, etc., within the limits of the State of Alabama.

By Mr. Thomas—

s. 348. To establish a fence on the western side of Pea river, in Bullock county.

By Mr. Troy—

s. 349. To authorize the judges of the circuit, city and supreme courts and chancellors to suggest amendments and additions to the statute laws of this State.

By Mr. Smith—

s. 350. To amend section 3656 of the Code.

By Mr. McSpadden—

s. 351. To provide for a better system of examination of the several offices of the executive department of the State and of the Warden of the Penitentiary, and for the appointment of a committee from the two houses of the General Assembly to make such examinations.

By Mr. Seay—

s. 352. To amend section one of an act entitled an act for the preservation of game animals and birds in the counties of Mobile, Monroe, Montgomery, Marengo, Baldwin, Dallas, Lowndes, Hale, Clarke, Greene, Wilcox, Pike, Talladega, Pickens, Bibb, Autauga, Chilton, Clay and Jefferson, so far as the same applies to Hale county.

By Mr. Brewer—

s. 353. To authorize and require the Governor of the State to appoint a competent person to examine and investigate the condition of the offices of State Treasurer, State

Auditor, State Superintendent of Education and Warden of the Penitentiary;

Which were severally read the first time and ordered to a second reading.

Memorials were presented—

By Mr. Shelby—

s. 344. Memorial of the citizens of the county of Winston, asking to have the election law of 1876 restored;

Also,

s. 345. Memorial of the citizens of Madison county asking to have the election law of 1876 restored;

Which were severally referred to the committee on privileges and elections.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 6, 1883.

Mr. President :

The House has originated and passed the following bills :

H. B. 763. To provide for the survey and locating the line between the counties of Cherokee and Cleburne;

H. B. 116. To make an additional appropriation to the public schools;

H. B. 702. To repeal an act to authorize the commissioners court, or court or board of county revenues, of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Antauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry to establish, or abolish districts, in which stock may be prevented from running at large, so far as the same relates to Dallas county;

H. B. 686. For the relief of Edward P. Herpin, of the county of Mobile;

H. B. 784. To repeal an act to authorize the court of county commissioners of Marengo county to levy a special tax to build and repair bridges in said county, or to issue county treasury notes for that purpose, approved February 21st, 1866;

H. B. 370. To provide for the election of the county superintendent of education and township trustees of public schools by a vote of the people in the counties of Lamar, Coosa, Cherokee, Limestone, Madison, Jackson, Colbert, Franklin, Blount, Lawrence, Marion, Cullman, DeKalb,

Walker, Crenshaw, Fayette, Winston, Tallapoosa, Elmore, Etowah and Dale, and for the election of superintendent of education in Dale county ;

H. B. 654. To make an appropriation to pay the per diem and expenses of the special joint committee to revise the revenue law of the State ;

H. B. 385. To amend section 5002 of the Code of Alabama.

H. B. 590. To appropriate the sum of seven thousand five hundred dollars to be expended in the making of necessary repairs upon the building belonging to the State of Alabama, located at Mobile, and known as the Medical College of Alabama ;

H. B. 463. To appropriate the sum of five hundred and seventy-seven and 85-100 dollars to cover deficiency in the appropriation for fuel and lights for the two years ending September 30th, 1882 ;

Also,

Has amended, as therein shown, and, as amended, has concurred in the Senate amendments to the bill—

H. B. 621. To amend the charter of the town of Union Springs ;

And ask the return of—

s. 138. To define some of the duties of the State Board of Health ;

And refuses to concur in the first and third amendments to the bill—

H. B. 71. To increase the jurisdiction of justices of the peace in Dallas, Choctaw, Cherokee, Elmore, Sumter, Geneva, Montgomery, Autauga, Lowndes, Perry, Clay, St. Clair, Coosa, Hale, Russell, Barbour, Madison, Limestone and Marengo counties ;

And has concurred in the second Senate amendment to the same.

D. W. McIVER, Clerk.

HOUSE MESSAGE.

The House bills, the titles of which are set out in the foregoing House message, were severally read a first time and ordered to a second reading.

The Senate concurred in the House amendment to the Senate amendment to the bill—

H. B. 621. To amend the charter of the town of Union Springs ;

Yeas 29, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Smith, Street, Thomas, Titcomb—29.

On motion of Mr. Troy, the Senate insisted on its amendment to the bill—

H. B. 71. To increase the jurisdiction of the justices of the peace in Dallas, Choctaw, Cherokee, Elmore, Sumter, Geneva, Montgomery, Autauga, Lowndes, Perry, Clay, St. Clair, Coosa, Hale, Russell, Barbour, Madison, Limestone and Marengo counties;

And requested a committee of conference thereon.

Committee on part of the Senate, Messrs. Troy, Smith and Gardner.

RETURN OF BILL.

Mr. Titcomb, from a special committee, returned the bill—

s. 138. To define some of the duties of the State Board of Health;

Which, on his motion, was transmitted to the House forthwith, in accordance with the request contained in the foregoing House message.

BILLS ON SECOND READING.

The bills—

s. 339. To amend section 4773 (4100) of the Code;

s. 341. To relinquish the claim of the State of Alabama to certain lands therein mentioned;

s. 342. To change the time of holding the chancery court in the counties of Wilcox and Randolph;

s. 343. To authorize a subscription by the State to the third volume of Brickell's Digest of Alabama reports;

H. B. 745. To authorize the Governor of the State to suspend sheriffs and tax collectors from exercising the functions of their office in cases of dereliction of duty;

H. B. 194. To provide that any determination of any matter by the railroad commission of Alabama, in the course of proceedings before said commission, relating to the regulation or supervision of railroad companies, or persons operating any railroad in this State, and coming within the juris-

ham, Gardner, Grant, Mitchell, Moorman, Norman, Oden, Rushing, Smith, Street, Troy, Ware—15.

SPECIAL ORDER.

At the hour of 12 o'clock, the Senate proceeded to consider the bill :

s. 43. To relieve married women of the disabilities of coverture.

Mr. Troy offered an amendment to the pending substitute. Lost.

On motion of Mr. Jackson, the vote by which the amendment was lost was reconsidered.

On motion of Mr. Harrison (Mr. Mitchell presiding,) the bill was postponed and made a special order for to-morrow at 12 o'clock.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 6, 1883.

Mr. President :

The House has acceded to the Senate's request for a committee of conference on the bill :

H. B. 71. To increase the jurisdiction of justices of the peace in Dallas, Choctaw, Cherokee, Elmore, Sumter, Geneva, Montgomery, Autauga, Lowndes, Perry, Clay, St. Clair, Coosa, Hale, Russell, Barbour, Madison, Limestone and Marengo counties ;

And has appointed the following committee :

Messrs. Samford, John and Shackelford.

D. W. McIVER, Clerk.

REPORTS OF COMMITTEES.

By leave, Mr. Brewer, from the committee on internal improvements, reported a substitute for the bill—

s. 124. To amend an act to revive and complete the geological and agricultural survey of Alabama.

Mr. Billups moved to postpone the bill till to-morrow at 12 o'clock.

The substitute was adopted,

And the bill read a third time and passed—yeas 24, nays 8.

diction of said commission, proof of the fact of such determination, so made by the said commission, shall be received in all courts, or other proceedings at law, or in equity, or before any officer, as *prima facie* evidence that such determination of such matter by the said commission was right and proper.

H. B. 658. To amend section 4373 of the Code;

H. B. 188. To repeal sections 5 and 33 of an act entitled an act to provide for the regulation of railroad companies and persons operating railroads in this State, approved February 26, 1881;

Was read a second time and referred to the committee on the judiciary.

The bill—

H. B. 386. To regulate the weight of a bushel of cotton seed;

Was read a second time and referred to the committee on internal improvements.

The bill—

s. 340. To amend section 19 of an act entitled an act to establish a new charter for the city of Demopolis, approved March 28, 1873;

Was read a second time and referred to the committee on municipal and county organizations.

The bill—

H. B. 681. To provide for the safe keeping of the money in the treasury of the State;

Was read a second time and referred to the committee on finance, and,

On motion of Mr. Troy, 150 copies ordered printed.

BILLS ON THIRD READING.

The bill—

s. 212. To amend section 2088 of the Code;

Was taken up.

Mr. Seay moved to indefinitely postpone the bill and pending amendment.

Carried—yeas 17, nays 15.

Yeas—Messrs. Billups, Brooks of Macon, Brown, Davidson, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, McSpadden, Orr, Pate, Seay, Shelby, Thomas, Titcomb—17.

Nays—Messrs. Bowles, Brewer, Brooks of Mobile, Farn-

Yeas—Messrs. President, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, Mitchell, Moorman, McSpadden, Norman, Oden, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy—24.

Nays—Messrs. Billups, Bowles, Brewer, McClellan, Orr, Pate, Rushing, Ware—8.

The bill was ordered to the House forthwith.

By leave, Mr. Luckie, from same committee, returned the bill—

s. 253. To authorize and empower the Governor to appoint inspectors of coal oil, gasoline, carbon oil, or any other product of petroleum, used for illuminating fluids;

Which was recommitted to the committee on the judiciary.

By leave, Mr. Smith, from the committee on municipal and county organizations, reported favorably, with amendment, the bill—

H. B. 423. To incorporate the inhabitants and territory formerly embraced within the corporate limits of the municipal corporation, since dissolved, styled the city of Selma, and to establish a local government therefor.

The amendment was adopted as follows :

Add to end of line 30, on page 16, as follows : "Provided that the power to regulate and establish markets shall not be construed to prevent grocers from buying and selling fresh meats, or vegetables, or fruits, in their regular business."

Also, amend by adding after the word "property," 7th line, 53d page : "Provided, however, that the mayor and council may appropriate to the support of the public schools as much more than two mills, as in their judgment, can be spared."

The bill was read a third time.

ADJOURNMENT.

Pending the consideration of the bill, aforesaid, on motion of Mr. McSpadden, at 2:20 p. m., the Senate adjourned.

THIRTY-SEVENTH DAY.

WEDNESDAY, February 7, 1883.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Avent of the House.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Ware—30.

The journal of yesterday was read and approved.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 7, 1883.

Mr. President :

The Speaker of the House having signed the following bill, your signature thereto is requested, viz :

H. B. 284. To fix the time of holding the circuit courts of the fifth judicial circuit of Alabama.

D. W. McIVER, Clerk.

SIGNING BILLS.

The President of the Senate, in the presence of the Senate, immediately after its title had been publicly read, signed the bill, the title of which is set out in the foregoing House message.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Orr—

s. 354. To regulate the issuing of license to sell vinous, spirituous or malt liquors in Morgan county.

By Mr. McSpadden—

s. 355. To amend section 3930 of the Code ;

Also,

s. 356. To regulate the term of holding the circuit courts

in Cherokee and Etowah counties, in the seventh judicial circuit.

By Mr. McClellan, by request—

s. 357. To alter and amend the charter of the city of Huntsville, as established by an act, approved March 3, 1870, entitled an act to establish a new charter for the city of Huntsville, and an act, approved February 13, 1871, entitled an act to amend an act to establish a new charter for the city of Huntsville.

By Mr. Troy—

s. 350. To confer additional powers on the corporate authorities of the city of Montgomery.

Also,

s. 359. To amend section 1812 of the Code, relating to contracting debts by corporations.

By Mr. Street—

s. 360. To regulate the time of holding the circuit courts of Talladega and Clay counties, in the seventh judicial circuit.

By Mr. Billups—

s. 361. To fix the compensation of sheriffs for attending chancery courts in this State.

Which were severally read a first time and ordered to a second reading.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

February 7, 1883.

Mr. President :

The House has originated and passed the following bills :

H. B. 626. To make an appropriation to pay the costs in civil cases instituted by the State, and in which the State is cast.

H. B. 46. To prevent the sale, giving away, or otherwise disposing of vinous, spirituous or malt liquors, or intoxicating bitters or beverages by whatsoever name designated, within three miles of any coaling ground, coal mine, ore mine, factory, furnace or rolling mill in beats 1, 2 and 3, and of Hillman's mines, in beat 9, and of Woodward's coal mines, in Bethlehem beat, in Jefferson county.

H. B. 707. For the relief of Oliver M. Smith, late tax collector of Jefferson county.

H. B. 132. To repeal an act entitled an act to prohibit the

sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters in Manningham beat, in Butler county, and other localities therein named, approved February 28, 1881.

H. B. 172. To prohibit the sale of liquors in Dallas county, except in Selma.

H. B. 11. To repeal an act of the General Assembly of Alabama, approved December 8, 1880, to prohibit the sale, giving, distilling or otherwise disposing of intoxicating beverages in Crenshaw county.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set forth in the foregoing House message, were severally read a first time and ordered to a second reading.

BILLS ON SECOND READING.

The bills—

s. 346. To prevent officers of the State or county from speculating or dealing in futures;

s. 349. To authorize the judges of the circuit, city and supreme court and chancellors to suggest amendments and additions to the statute laws of this State;

s. 350. To amend section 3656 of the Code;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

s. 348. To establish a fence on the western side of Pea river, in Butler county;

s. 352. To amend section 1 of an act entitled an act for the preservation of game animals and birds in the counties of Mobile, Monroe, Montgomery, Marengo, Baldwin, Dallas, Lowndes, Hale, Clarke, Greene, Wilcox, Pike, Talladega, Pickens, Bibb, Autauga, Chilton, Clay and Jefferson, so far as the same applies to Hale county;

H. B. 686. For the relief of Edward P. Herpine of the county of Mobile;

H. B. 706. To repeal an act to authorize the commissioners court, or court or board of county revenues of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry to

establish or abolish districts, in which stock may be prevented from running at large, so far as the same relates to Dallas county;

Were severally read a second time and referred to the committee on local legislation.

The bills—

H. B. 116. To make an additional appropriation to the public schools;

H. B. 463. To appropriate the sum of \$577.85 to cover the deficiency in the appropriation for fuel and lights for the two years ending September 30, 1882.

H. B. 590. To appropriate the sum of seven thousand five hundred dollars to be expended in the making of necessary repairs upon the building belonging to the State of Alabama, located at Mobile, and known as the Medical College of Alabama;

H. B. 654. To make an appropriation to pay the per diem and expenses of the special joint committee to revise the revenue law of the State;

Were severally read a second time and referred to the committee on finance.

The bills—

s. 351. To provide for a better system of examination of the several offices of the executive department of the State, and of the warden of the penitentiary, and for the appointment of a committee from the two houses of the General Assembly to make such examinations;

s. 353. To authorize and require the Governor of the State to appoint a competent person to examine and investigate the condition of the offices of the State Treasurer, State Auditor, State Superintendent of Education and Warden of the Penitentiary;

Were severally read a second time and referred to the committee on revision of laws.

The bill—

s. 347. To prohibit the manufacture or sale, or other disposition of vinous, spirituous, malt or other intoxicating liquors, etc., within the limits of the State of Alabama;

Was read a second time and referred to the committee on temperance.

The bill—

H. B. 385. To amend section 5002 of the Code of Alabama;

Was read a second time and referred to the committee on the penitentiary.

The bill—

H. B. 370. To provide for the election of the county superintendent of education and township trustees of public schools by a vote of the people in the counties of Lamar, Coosa, Cherokee, Limestone, Madison, Jackson, Colbert, Franklin, Blount, Lawrence, Marion, Cullman, DeKalb, Walker, Crenshaw, Fayette, Winston, Tallapoosa, Elmore, Etowah and Dale, and for the election of superintendent of education in Dale county;

Was read a second time and referred to the committee on privileges and elections.

The bill—

H. B. 784. To repeal an act to authorize the court of county commissioners of Marengo county to levy a special tax to build and repair bridges in said county, or to issue county treasury notes for that purpose, approved February 21, 1866;

Was read a second time and referred to the committee on municipal and county organizations.

The bill—

H. B. 763. To provide for the survey and locating the line between the counties of Cherokee and Cleburne;

Was read a second time and referred to a special committee, consisting of Messrs. McSpadden, Grant and Street.

REPORT OF SPECIAL COMMITTEES.

By leave, Mr. Farnham, from a special committee, reported favorably the bill—

s. 308. To vacate and annul the charter and dissolve the corporation of the city of Opelika, and to provide for application of the assets thereof in discharge of the debts of the corporation;

Which was read a third time and passed—yeas 18, nays 2.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Davidson, Gardner, Griffin, Jones, McClellan, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Street, Ware—18.

Messrs. Hargrove and Seay voted no—2.

By leave also, favorably, the bill—

s. 309. To incorporate the District of Opelika and to provide for the government thereof;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Bowles, Brooks, of Macon,

Brooks of Mobile, Gardner, Griffin, Hargrove, Jones, McClellan, Moorman, McSpadden, Norman, Oden, Orr, Pate, Smith, Street, Titcomb, Troy, Ware—20.

The two bills immediately preceding, were ordered to the House forthwith without engrossment.

Mr. Hargrove, from a special committee, reported favorably, with amendments, the bill—

H. B. 577. In aid of the exercise of the power of disposal conferred on the Legislature of Alabama by the act of Congress of June 3d, 1856, entitled "An act granting public lands, in alternate sections, to the State of Alabama to aid in the construction of certain railroads in said State."

The amendments were adopted, as follows :

Amend the preamble as follows: Strike out "fourth" in the 5th line thereof, and insert in lieu thereof, "third."

In line 24 between "so" and "therefor," insert "whereas no completed railroad should lose any part of said odd numbered sections, or the contingent indemnity therefor, by the mere failure of other persons to complete one or more other railroads, which, if completed, would have entitled them to share in said sections."

On motion of Mr. Brooks of Mobile, the bill was postponed and made a special order for Saturday next, and 150 copies ordered printed.

By leave, Mr. Troy, from a special committee, reported a substitute for the bill—

H. B. 661. To authorize the investment of certain revenues in the adjustment and settlement of the indebtedness of the counties of Chambers, Lee, Pickens, Randolph and Tallapoosa, incurred on account of stock subscribed to railroad companies;

Which, on his motion, was postponed and made a special order for to-morrow, 12 m., and 150 copies of substitute ordered printed.

RESOLUTION.

By leave, Mr. Brooks, of Mobile, offered the following resolution:

Resolved, That hereafter the Senate meet at 9:30 o'clock a. m., and adjourn at 2:30 p. m.

Mr. Norman moved to amend by striking out "2:30 p. m." and inserting "2 p. m."

Carried.

Mr. McSpadden moved to strike out all after 9:30 a. m.
Carried.

The resolution, as amended, was adopted.

PRIVILEGED QUESTION.

Mr. Thomas arose to a question of privilege, and moved to reconsider the vote indefinitely postponing the bill—

s. 212. To amend section 2088 of the Code;

And, on motion of Mr. Gardner, the further consideration of that motion was postponed and made a special order for to-morrow at 1 o'clock, and from day to day till disposed of.

UNFINISHED BUSINESS.

At the hour of 12 o'clock the Senate proceeded to consider the bill—

H. B. 423. To incorporate the inhabitants and territory formerly embraced within the corporate limits of the municipal corporation, since dissolved, styled the city of Selma, and to establish a local government therefor;

Which, having been read a third time, passed—yeas 21, nays 0.

Yeas—Messrs. President, Brewer, Brooks of Macon, Brooks of Mobile, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Smith, Street, Titcomb, Troy, Ware—21.

On motion of Mr. Troy,

THE SPECIAL ORDER,

Which was the bill—

s. 43. To relieve married women of the disabilities of coverture;

Was postponed and made the special order for to-morrow, immediately after reading the journal.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 7, 1883.

Mr. President:

The House has amended, by adopting a substitute therefor, and, as amended, has passed the bill—

s. 144. To regulate the hiring and treatment of State and county convicts.

And has concurred in the Senate amendments to the bill—

H. B. 423. To incorporate the inhabitants and territory formerly embraced within the corporate limits of the municipal corporation, since dissolved, styled the city of Selma, and to establish a local government therefor.

Also, has passed, without amendment, the bill—

s. 211. Authorizing the mayor and aldermen of the city of Wetumpka to donate a certain street for county purposes.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House substitute for the bill—

s. 144. To regulate the hiring and treatment of State and county convicts;

Was, on motion of Mr. Billups, postponed, together with the bill, and made the special order for Friday at 12 m., and 150 copies of substitute ordered printed.

REPORTS OF STANDING COMMITTEES.

Mr. Mitchell, from the committee on revision of laws, reported favorably the bill—

s. 180. To repeal an act to regulate the number of persons drawn to serve as grand and petit jurors for the counties of Fayette, Lamar, Washington, Cherokee, Marion, St. Clair, Monroe, Calhoun, Franklin, Colbert, Chilton, Cleburne, Escambia, Coffee, Baldwin, Pike, Talladega, Blount, Crenshaw, Clay, Cullman and Lawrence, approved February 13th, 1879, so far as the same relates to Crenshaw county;

Which was read a third time and passed—yeas 28, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Ware—28.

Also, favorably, the bill—

s. 199. To limit the compensation of judges of the county court of Russell county;

Which was read a third time and passed—yeas 26, nays 0.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Ma-

con, Brooks of Mobile, Davidson, Farnham, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Rushing, Seay, Shelby, Smith, Street, Titcomb, Ware—26.

By leave, Mr. Hargrove, from the committee on rules, reported favorably, with an amendment, the following resolution :

Resolved, That no more special committees be raised, with leave to report at any time, until the call of the committees is disposed of, except by a four-fifths vote of the Senate.

The amendment was adopted, as follows :

Strike out all after the words "disposed of," and insert "without unanimous consent of the Senate."

The resolution was then adopted.

Mr. Mitchell, from the committee on revision of laws, reported favorably, with amendment, the bill—

H. B. 271. To amend section 1719 of the Code.

The amendment was adopted, as follows :

Amend by adding the following proviso :

"Provided, That if said signal shall be given by any steamboat within thirty minutes of the time when, according to the schedule of said railroad company, any train shall cross said bridge, said railroad company or its agent shall not be liable to the penalty provided by this act for failure to open said draw-bridge until after the crossing of said train."

The bill was read a third time and passed—yeas 26, nays 0.

Yeas—Messrs. Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Street, Thomas, Titcomb, Ware—26.

Also, favorably, with an amendment, the bill—

s. 81. To authorize executors and administrators to employ counsel in certain cases.

The amendment was adopted as follows :

Amend by inserting after the word "authorized," in the ninth line of the bill, the following: "upon the written request of the widow or husband, or one of the adult heirs or devisees of the deceased."

The bill was read a third time and passed—yeas 28, nays 0.

Yeas—Messrs. Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Gardner, Grant, Griffin, Har-

grove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Ware—28.

Also, favorably, the bill—

s. 99. To amend section 2670 of the Code ;

Which was read a third time and passed—yeas 21, nays 5.

Yeas—Messrs. Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Smith, Street, Thomas, Titcomb—21.

Nays—Messrs. Hargrove, Jones, Luckie, McClellan, Shelby—5.

Also, reported a substitute for the bill—

s. 200. To amend section 7 of an act, approved February 13, 1879, so as to include Barbour county.

On motion of Mr. Oden, the substitute was amended by including the county of Elmore within the provisions thereof.

The substitute was adopted, with caption as follows :

s. 200. To regulate the fine and forfeiture fund of Barbour and Elmore counties.

The bill was read a third time and passed—yeas 26, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, McSpadden, Norman, Oden, Orr, Shelby, Smith, Street, Thomas, Titcomb, Ware—26.

Also, favorably, with an amendment, the bill—

H. B. 104. To amend section 1515 of the Code.

The amendment was adopted, as follows :

Amend by inserting the word "when" after the word "judge," in the 20th line of the bill, and by inserting the word "if" after the word "physician," in the 23d line of the bill.

The bill was read a third time and passed—yeas 23, nays 1.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Seay, Shelby, Street, Titcomb—23.

Mr. Orr voted no.

Also, favorably, the bill—

H. B. 246. To include the county of Callman in the third senatorial district of Alabama ;

Which was read a third time and passed—yeas 25, nays 0.
 Yeas—Messrs. President, Billups, Bowles, Brooks of Magon, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Shelby, Smith, Street, Titcomb, Troy—25.

Also, favorably, the bill—

H. B. 245. To include the county of Cullman in the seventh congressional district of Alabama;

Which was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Magon, Brooks of Mobile, Davidson, Farnham, Grant, Griffin, Hargrove, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Smith, Street, Titcomb, Troy, Ware—22.

Mr. McSpadden, from same committee, reported a substitute for the bill—

s. 33. To prevent speculations in futures.

On motion of Mr. Troy, the bill and substitute were postponed and made a special order for Friday next, and from day to day till disposed of, and 150 copies of the substitute ordered to be printed.

Mr. Titcomb, from the committee on local legislation, reported favorably the bill—

s. 246. To prevent stock from running at large in China Grove beat, in Pike county;

Which was read a third time and passed—yeas 16, nays 6.

Yeas—Messrs. Billups, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Mitchell, McSpadden, Norman, Orr, Seay, Street, Thomas, Titcomb, Troy—16.

Nays—Messrs. President, Jackson, Jones, Pate, Rushing, Shelby—6.

ADJOURNMENT.

At 2:30 p. m., on motion of Mr. Farnham, the Senate adjourned.

THIRTY-EIGHTH DAY.

THURSDAY, February 8, 1883.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Howell, of Cleburne.

Present—Messrs. President, Billups, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Ware—26.

The journal of yesterday was read and approved.

ENROLLED BILLS.

Mr. Orr, from the committee on enrolled bills, reported the following bill correctly enrolled :

s. 211. Authorizing the mayor and aldermen of the city of Wetumpka to donate a certain street for county purposes.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

February 8, 1883.

Mr. President :

The Speaker of the House having signed the following bill, your signature to the same is requested, viz :

H. B. 621. To amend the charter of the town of Union Springs.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing report of enrolling committee and House message.

SPECIAL ORDER.

The Senate proceeded to consider the bill—

s. 43. To relieve married women of the disabilities of coverture.

The pending amendment, offered by Mr. Troy, was adopted, as follows :

Amend by adding, "And to restore to her all the civil rights and liabilities of a *feme sole*, except only the right to contract marriage."

Mr. Shelby offered an amendment, which was adopted, as follows :

Add after the last line of bill, as amended—

"This act shall apply to all married women, whether they own an estate or not, and to all separate estates, whether statutory, or equitable, now owned, or hereafter acquired by the married woman, who is made a free dealer under this act."

Mr. Norman offered an amendment, which was adopted, as follows :

Amend by inserting after the words, "shall be," in the 14th line, these words:

"To remove the husband from the trusteeship of the wife's statutory separate estate, and from any control over the estate of his wife, or the rents, issues, or profits thereof, and"

The substitute was adopted, with caption as follows :

s. 43. To relieve married women of the disability of coverture, by amending section twenty-seven hundred and twenty-one (2721) of the Code.

The bill was read a third time and passed—yeas 21, nays 8.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Norman, Oden, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy—21.

Nays—Messrs. President, Brewer, Brooks of Mobile, Brown, Jackson, McSpadden, Orr, Ware—8.

QUESTION OF PRIVILEGE.

Mr. Farnham arose to a question of privilege and gave notice that he would move to reconsider the vote on the passage of the bill—

H. B. 104. To amend section 1515 of the Code ;

And said bill having been sent to the House, on his motion, the House was requested to return the same.

CALL OF DISTRICTS.

Bills were introduced—

By Mr. Brooks of Macon—

s. 363. To incorporate the Tuskegee Fire Company ;

By Mr. Moorman, (by request)—

s. 364. For the relief of county superintendents of education.

By Mr. Brewer—

s. 365. To authorize the Governor, the State Auditor and the State Treasurer of this State to settle the claims of this State against Isaac H. Vincent, late State Treasurer, and his sureties on his several bonds, and any other person, firm, or corporation, liable to the State for money of the State obtained from said Vincent, or property obtained with money so used with any of said parties.

By Mr. Titcomb, (by request, with petition)—

s. 366. To prohibit the sale, giving away or otherwise disposing of intoxicating beverages within five miles of Hurricane Bayou in the county of Baldwin.

By Mr. Jones—

s. 367. To amend sections two and three of "an act to authorize the commissioners court, or court or board of county revenue of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry to establish, or abolish districts, in which stock may be prevented from running at large, approved February 28, 1881.

By Mr. Troy—

s. 368. To amend section nine (9) of an act entitled an act to provide for the regulation of railroad companies and persons operating railroads in this State, approved February 26, 1881.

By Mr. Mitchell—

s. 369. To authorize the court of county commissioners, or commissioners of revenue of the several counties of this State to appoint a special county surveyor.

By Mr. Seay—

s. 370. To provide the mode and manner of paying the coupons representing the interest on the public debt as they fall due, and for the filing and the preservation of the same in the office of the Treasurer of the State.

By Mr. Farnham—

s. 371. To amend subdivision three (3) of section 3069 of the Code.

By Mr. Luckie—

s. 372. To repeal an act entitled an act to change the boundary line of Blount, Walker and Jefferson, and to locate the county seat of Blount county, approved February 8, 1877, and an act amendatory thereof, to change the boundary line between the counties of Blount, Walker and Jefferson and to locate the county seat of Blount county, approved January 27, 1879, so far as the same relates to Walker county, and to restore Walker county to her original boundary line prior to the passage of the act of 1877.

By Mr. Mitchell—

s. 373. To protect the estates and interests of minors in certain contingencies ;

Which were severally read a first time and ordered to a second reading.

A memorial was presented—

By Mr. Jackson—

s. 362. Memorial of the citizens of Lawrence county asking to have the election law of 1876 restored ;

Which was referred to the committee on privileges and elections

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 8, 1883.

Mr. President :

The House has originated and passed the following bills :

H. B. 326. To amend an act entitled an act to prohibit the making, selling, or otherwise disposing of spirituous or malt liquors, or intoxicating bitters of any kind, in any quantity, within the counties of Dale and Henry, approved February 26th, 1881, so far as the same relates to Henry county.

H. B. 320. To amend section 1 of an act entitled an act to authorize the probate judge of Chilton county to order elections in certain cases to determine whether spirituous, vinous or malt liquors, shall be sold, given away, or otherwise disposed of in said county, or in any beat, or incorporated city or town therein, approved February 26th, 1881.

H. B. 232. To regulate the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or other intoxicating beverages in the county of Pickens.

H. B. 319. To amend section (1) one of an act entitled an act to amend section 1544 of the Code of Alabama, so far as the same relates to the counties of Blount, Cullman, Cleburne, Washington, Coosa, Autauga, St. Clair, Elmore, Marshall, Dale and Chilton, so far as the same relates to the county of Chilton.

H. B. 60. To amend section 2 of an act, approved February 28th, 1881, entitled an act to prohibit the sale of spirituous, vinous or malt liquors, or other intoxicating beverages, in the counties of Etowah, Cherokee, DeKalb and Tallapoosa, so far as Tallapoosa and Etowah are concerned.

H. B. 252. To regulate the granting of license to sell spirituous or vinous liquors in the county of Covington.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set out in the foregoing House message, were severally read a first time and ordered to a second reading.

BILLS ON SECOND READING.

The bills—

s. 358. To confer additional powers on the corporate authorities of the city of Montgomery;

s. 359. To amend section 1812 of the Code relating to contracting debt by corporations;

s. 361. To fix the compensation of sheriffs for attending chancery courts in this State;

H. B. 626. To make an appropriation to pay the costs in civil suits instituted by the State, and in which the State is cast;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

s. 354. To regulate the issuing of license to sell vinous, spirituous or malt liquors, in Morgan county;

H. B. 11. To repeal an act of the General Assembly of Alabama, approved December the 8th, 1880, to prohibit the sale, giving, distilling, or otherwise disposing of intoxicating beverages in Crenshaw county;

H. B. 132. To repeal an act entitled an act to prohibit the

sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, in Manningsham beat, in Butler county, and other localities therein named, approved February 28th, 1881;

H. B. 46. To prevent the sale, giving away, or otherwise disposing of vinous, spirituous or malt liquors, or intoxicating bitters, or beverages, by whatsoever name designated, within three miles of any coaling ground, coal mine, ore mine, factory, furnace, or rolling mill, in beats 1, 2 and 3, and of Hillman's mines, in beat 9, and of Woodward's coal mines in Bethlehem beat, in Jefferson county;

Were severally read a second time and referred to the committee on temperance.

The bills—

s. 355. To amend section 3930 of the Code;

s. 356. To regulate the time of holding the circuit courts in Cherokee and Etowah counties in the 7th judicial circuit;

s. 360. To regulate the times of holding the circuit courts of Talladega and Clay counties in the 7th judicial circuit;

Were severally read a second time and referred to the committee on revision of laws.

The bills—

s. 357. To alter and amend the charter of the city of Huntsville, as established by an act, approved March 3, 1870, entitled an act to establish a new charter for the city of Huntsville, and an act approved February 13th, 1871, entitled an act to amend an act to establish a new charter for the city of Huntsville;

H. B. 172. To prohibit the sale of liquors in Dallas county, except in Selma;

Were severally read a second time and referred to the committee on local legislation.

The bill—

H. B. 707. For the relief of Oliver M. Smith, late tax collector of Jefferson county;

Was read a second time and referred to the committee on finance.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 8, 1883.

Mr. President:

The House has passed, without amendment, the bill:

s. 204. To change the time of holding the circuit court in Bullock county.

And refuses to concur in the Senate amendment to the bill—

H. B. 271. To amend section 1719 of the Code.

And at the request of the Senate, returns the bill—

H. B. 104. To amend section 1515 of the Code.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

On motion of Mr. Seay, the Senate insisted on its amendment to the bill—

H. B. 271. To amend section 1719 of the Code;

And asked a committee of conference thereon.

The President appointed on said committee—Messrs. Seay, Mitchell and Bowles.

By leave, Mr. Farnham withdrew his motion to reconsider the vote on the passage of the bill—

H. B. 104. To amend section 1515 of the Code;

And, on his motion, the bill was ordered to be sent forthwith to the House.

REPORT OF SPECIAL COMMITTEE.

By leave, Mr. McSpadden, from a special committee, reported favorably the bill—

H. B. 763. To provide for the survey and locating the line between the counties of Cherokee and Cleburne;

Which was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Griffin, Hargrove, Jones, Luckie, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Street, Titcomb, Troy, Ware—25.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

February 8, 1883.

Mr. President:

The House accedes to the request of the Senate for a committee of conference on the bill—

H. B. 271. To amend section 1719 of the Code.
Committee on part of the House, Messrs. Wood, Hogue
and Branch;

And has concurred in the Senate amendments to the bill—
H. B. 104. To amend section 1515 of the Code.

D. W. McIVER, Clerk.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
Montgomery, February 8, 1883.

Mr. President :

The Governor has approved the following bill, which originated in the Senate—

s. 211. Authorizing the mayor and aldermen of the city of Wetumpka to donate a certain street for county purposes.

W. G. HUTCHESON,
Recording Secretary.

At the hour of 12 o'clock m., the Senate proceeded to consider

THE SPECIAL ORDERS,

First.

The bill—

H. B. 140. To provide for summary judgments against judges of probate and tax collectors;

Was taken up.

Mr. McSpadden moved to table the pending motion to reconsider the vote indefinitely postponing the said bill.

Lost—yeas 12, nays 18.

Yeas—Messrs. Billups, Brooks of Macon, Brooks of Mobile, Brown, Luckie, Moorman, McSpadden, Oden, Orr, Shelby, Titcomb, Ware—12.

Nays—Messrs. President, Brewer, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Norman, Pate, Rushing, Seay, Smith, Street, Troy—18.

The motion to reconsider prevailed—yeas 18, nays 12.

Yeas—Messrs. President, Brewer, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Norman, Pate, Rushing, Seay, Smith, Troy—18.

Nays—Messrs. Billups, Bowles, Brooks of Macon, Brooks

of Mobile, Brown, Jackson, McSpadden, Oden, Orr, Shelby, Titcomb, Ware—12.

The motion to indefinitely postpone was lost.

The substitute was adopted—yeas 15, nays 13.

Yeas—Messrs. President, Brewer, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Rushing, Seay, Smith, Troy—15.

Nays—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Jackson, Moorman, McSpadden, Oden, Orr, Shelby, Titcomb, Ware—13.

The bill was lost—yeas 15, nays 15.

Yeas—Messrs. President, Brewer, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Rushing, Seay, Smith, Troy—15.

Nays—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Jackson, Moorman, McSpadden, Oden, Orr, Shelby, Street, Thomas, Titcomb, Ware—15.

Mr. Luckie stated he was paired with Mr. Norman, but for that reason he would vote "no." And this statement was, at his request, ordered to be spread upon the journal.

ADJOURNMENT.

At 2:05 p. m., on motion of Mr. Pate, the Senate adjourned.

THIRTY-NINTH DAY.

FRIDAY, February 9, 1883.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Avent of the House.

Present—Messrs. President, Billups, Bowles, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—31.

The journal of yesterday was read and approved.

CALL OF THE DISTRICTS.

Bills were introduced :

By Mr. Moorman—

s. 375. To authorize Lucinda Jones, as administratrix of the estate of E. P. Jones, deceased, to sell the law library of said estate at public or private sale, without an order of court.

By Mr. Hargrove (with memorial)—

s. 377. To amend section 79 of an act to incorporate the city of Tuscaloosa, approved March 12, 1873.

By Mr. Jones, (by request)—

s. 378. To rearrange the times of holding the courts of the eastern chancery division of the State.

Also, (by request)—

s. 379. To provide a fund for the benefit of the supreme court library without making appropriations from the State treasury therefor.

By Mr. Brooks, of Macon—

s. 380. To repeal an act to regulate the publication of legal notices in the county of Crenshaw, approved December 11, 1873.

By Mr. Brown—

s. 381. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors, or other intoxicating beverages within four miles of country schools, incorporated under the provisions of section 1994 of the Code.

By Mr. Thomas—

s. 382. To include the land of John R. Hayes, a citizen of Barbour county, in the district in which stock is prohibited from running at large, so far as depredation on said land by stock belonging to parties living in said district is concerned;

Which were severally read a first time and ordered to a second reading.

A memorial was presented—

By Mr. Shelby—

s. 374. Memorial of the citizens of the town of Patterson, Ala., asking to have the election law of 1876 restored;

Which was referred to the committee on privileges and elections.

Mr. Harrison offered—

s. 376. A joint resolution requesting the president of the United States to call the attention of the French Govern-

ment to the claims of Pierre Dupont, lineal descendant of Marshall Francois Joseph Lefebvre, the Duke of Dantzic, and ask his restoration to the property rights of his ancestors;

Which was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 9, 1883.

Mr. President :

The House has passed the bill—

s. 103. To incorporate the Rockford High School ;
And, as recommended by the report of the committee of conference, has concurred in the Senate first and third amendments to the bill—

H. B. 71. To increase the jurisdiction of justices of the peace in Dallas, Choctaw, Cherokee, Elmore, Sumter, Geneva, Montgomery, Autauga, Lowndes, Perry, Clay, St. Clair, Coosa, Hale, Russell, Barbour, Madison, Limestone and Marengo counties ;

And has originated and passed the bills :

H. B. 415. To authorize the probate judge of Tallapoosa and Etowah counties to order an election to determine whether spirituous, vinous or malt liquors or other intoxicating beverages shall be sold, given away, or otherwise disposed of in said counties, the same being prohibited by an act entitled an act to prohibit the sale of spirituous, vinous, or malt liquors, or other intoxicating beverages in the counties of Etowah, Cherokee, DeKalb and Tallapoosa, approved February 28, 1881.

H. B. 482. To incorporate the Home Real Estate and Loan Company of Selma, Alabama.

H. B. 552. To extend the corporate limits of the city of Talladega.

H. B. 783. To amend section 9 of an act to incorporate the town of Tuskegee, in the county of Macon, and for other purposes, approved March 15, 1873.

H. B. 346. To incorporate the society of alumnae of the Judson Female Institute, located at Marion, Perry county.

H. B. 536. To incorporate the White Sulphur Springs College, in DeKalb county, Alabama.

H. B. 511. To incorporate a board of trustees for the Mc-

Gready Presbytery, of the Cumberland Presbyterian Church.
H. B. 268. To incorporate the Fowl River Improvement and Canal Company.

H. B. 553. To amend section 21 of an act entitled an act to establish a new charter for the city of Talladega, and to repeal all acts in contravention therewith, approved March 1, 1870.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, numbered 415, 482, 552, 783, 346, 536, 511, 268 and 553 respectively, the titles of which are set out in the foregoing House message, were severally read a first time and ordered to a second reading.

ENROLLED BILLS.

Mr. Orr, from the committee on enrolled bills, reported the following bills correctly enrolled :

s. 204. To change the time of holding the circuit court in Bullock county.

s. 103. To incorporate the Rockford High School.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 9, 1883.

Mr. President :

The Speaker of the House having signed the following bills, your signature thereto is requested, viz :

H. B. 245. To include the county of Cullman in the seventh congressional district of Alabama.

H. B. 246. To include the county of Cullman in the third senatorial district of Alabama.

H. B. 104. To amend section 1515 of the Code.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing House message and report of the enrolling committee.

BILLS ON SECOND READING.

The bills—

s. 365. To authorize the Governor, the State Auditor and the State Treasurer of this State to settle the claim of this State against Isaac H. Vincent, late State Treasurer, and his sureties on his several bonds, and any other person, firm or corporation liable to the State for money of the State obtained from said Vincent, or property obtained with money so used, with any of said parties;

s. 367. To amend sections 1, 2 and 3 of an act to authorize the commissioners court, or court or board of county revenues of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry to establish or abolish districts in which stock may be prevented from running at large, approved February 28, 1881;

s. 368. To amend section 9 of an act entitled an act to provide for the regulation of railroad companies and persons operating railroad companies in this State, approved February 26, 1881;

s. 371. To amend sub-division 3 of section 3069 of the Code;

s. 373. To protect the estates and interests of minors in certain contingencies;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

s. 366. To prohibit the sale, giving away, or otherwise disposing of intoxicating beverages within five miles of Hurricane Bayou, in the county of Baldwin;

H. B. 60. To amend section 2 of an act, approved February 28, 1881, entitled an act to prohibit the sale of spirituous, vinous or malt liquors, or other intoxicating beverages in the counties of Etowah, Cherokee, DeKalb and Tallapoosa, so far as Tallapoosa and Etowah are concerned;

H. B. 232. To regulate the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or other intoxicating beverages in the county of Pickens;

H. B. 252. To regulate the granting of licenses to sell spirituous or vinous liquors in the county of Covington;

H. B. 320. To amend section 1 of an act entitled an act to authorize the probate judge of Chilton county to order elections in certain cases, to determine whether spirituous,

vinous or malt liquors shall be sold, given away or otherwise disposed of in said county, or in any beat, or incorporated city, or town therein, approved February 26, 1881 ;

Were severally read a second time and referred to the committee on temperance.

The bills—

s. 369. To authorize the court of county commissioners, or commissioners of revenue of the several counties of this State to appoint a special county surveyor ;

s. 372. To repeal an act to change the boundary line of Blount, Walker and Jefferson, and to locate the county seat of Blount county, approved February 8, 1877, and an act amendatory thereof, to change the boundary line between the counties of Blount, Walker and Jefferson, and to locate the county seat of Blount county, approved January 27, 1879, so far as the same relates to Walker county, and to restore Walker county to her original boundary line prior to the act of 1877 ;

Were severally read a second time and referred to the committee on municipal and county organizations.

The bill—

s. 370. To provide the mode and manner of paying the coupons representing the interest on the public debt as they fall due, and for the filing and the preservation of the same in the office of the Treasurer of the State ;

Was read a second time and referred to the committee on finance, and 150 copies ordered printed.

The bill—

s. 363. To incorporate the Tuskegee Fire company ;

Was read a second time and referred to the committee on internal improvements.

The bill—

s. 364. For the relief of county superintendents of education ;

Was read a second time and referred to the committee on education.

The bill—

H. B. 319. To amend section 1 of an act entitled an act to amend section 1544 of the Code of Alabama, so far as the same relates to the counties of Blount, Cullman, Cleburne, Washington, Coosa, Autauga, St. Clair, Elmore, Marshall, Dale and Chilton, so far as the same relates to the county of Chilton ;

Was read a second time and referred to the committee on local legislation.

The bill—

H. B. 326. To amend an act entitled an act to prohibit the making, selling, or otherwise disposing of spirituous or malt liquors, or intoxicating bitters of any kind, in any quantity, within the counties of Dale and Henry, approved February 26, 1881, so far as the same relates to Henry county;

Was read a second time and referred to a special committee, consisting of Messrs. Rushing, Farnham and Smith.

REPORT OF COMMITTEE OF CONFERENCE.

By leave, Mr. Troy, from a special committee of conference, made the following report:

Mr. President :

The committee of conference, to which was referred the disagreement between the two Houses of the General Assembly on the first and third amendments of the Senate to House bill number 71—

H. B. 71. To be entitled an act to increase the jurisdiction of justices of the peace in Dallas, Choctaw, Cherokee, Elmore, Sumter, Geneva, Montgomery, Autauga, Lowndes, Perry, Clay, St. Clair, Coosa, Hale, Russell, Barbour, Madison, Limestone and Marengo counties;

Have had the same under consideration, and recommend that the House of Representatives concur in each of said amendments.

D. S. TROY,
A. G. SMITH,
A. V. GARDNER,
Of the Senate.
S. W. JOHN,
W. J. SAMFORD,
JAS. SHACKELFORD,
Of the House.

The report of the conference committee was concurred in—yeas 26, nays 1.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman,

McSpadden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—26.

Mr. Gardner voted no.

REPORTS OF STANDING COMMITTEES.

Mr. Titcomb, from the committee on local legislation, reported a substitute for the bill—

H. B. 379. To provide for the establishing of a separate school district, to be known as the Peabody school district in Lee and Russell counties, and for the appointment of a board of trustees for said school district, with certain powers and privileges.

The substitute was adopted, with caption as follows :

H. B. 379. To establish a separate school district, to be known as the Peabody school district in Russell county, Alabama, and for the appointment of a board of trustees for said school district, with certain powers and privileges.

The bill was read a third time and passed—yeas 17, nays 0.

Yeas—Messrs. President, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Gardner, Griffin, Hargrove, Mitchell, Moorman, Orr, Pate, Rushing, Seay, Street, Titcomb, Troy—17.

Also, favorably, the bill—

s. 230. For the relief of John Rupert, circuit clerk in the county of Escambia ;

Which was read a third time and passed—yeas 21, nays 1.

Yeas—Messrs. President, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, Norman, Orr, Pate, Rushing, Street, Thomas, Titcomb, Ware—21.

Mr. Troy voted no.

Also, favorably, the bill—

s. 298. To amend sections 3 and 4 of an act to authorize the commissioners court, or court or board of county revenues of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry, to establish, or abolish, districts in which stock may be prevented from running at large, approved February 28th, 1881, so far as the same relates to Russell county ;

Which was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Ma-

con, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, Norman, Oden, Orr, Pate, Rushing, Street, Thomas, Titcomb, Troy, Ware—25.

Also, favorably, the bill—

s. 335. To remove the chancery court from the town of Claiborne, in Monroe county, to the town of Monroeville, in said county ;

Which was read a third time and passed—yeas 27, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Luckie, McClellan, Mitchell, Moorman, Norman, Oden, Orr, Pate, Rushing, Smith, Street, Thomas, Titcomb, Troy, Ware—27.

Also, favorably, with amendments, the bill—

s. 227. To prohibit fishing in the waters of Madison county, of the State of Alabama, with nets or seines.

The amendments were adopted, as follows: Amend by striking out of section 2, the following: "And may be imprisoned in the county jail for a period of time, not exceeding six months."

Also, in the 4th line before the word "water," insert "running."

Also, add at end of bill: "Provided, this act shall not apply to persons using minnow seines or nets to catch minnows for bait."

The bill was read a third time and passed—yeas 28, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—28.

Also, favorably, the bill—

s. 301. For the relief of Miss Anna Pybas, of Colbert county ;

Which was read a third time and passed—yeas 28, nays 1.

Yeas—Messrs. President, Billups, Bowles, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—28.

Mr. Oden voted no.

Also, favorably, the bill—

H. B. 291. For the relief of Benjamin H. Craig of Dallas county ;

Which was read a third time and passed—yeas 26, nays 0.
Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—26.

Also, favorably, the bill—

s. 288. To authorize and empower Mrs. E. C. Davis (widow of J. J. Davis, deceased,) to sell lands belonging to said estate at private sale ;

Which, on motion of Mr. Seay, was postponed and made a special order for to-morrow at 12 o'clock.

Also, favorably, the bill—

s. 269. To fix the per diem and mileage of the county commissioners of Pickens county ;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby, Street, Titcomb, Ware—23.

Also, a substitute for the bill—

s. 333. To amend section 7 of an act to confer additional jurisdiction upon the county court of Hale county, and to regulate proceedings therein.

The substitute was adopted, with same caption as above, with the addition of the words, "approved February 12th, 1879."

The bill was read a third time and passed—yeas 24, nays 1.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Griffin, Hargrove, Jones, Luckie, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby, Thomas, Titcomb, Troy, Ware—24.

Mr. Gardner voted no.

Also, favorably, the bill—

s. 318. To protect the lands, crops and other property of J. W. Sparrow, of Barbour county, from depredation of stock, belonging to parties residing in the stock law district in said county by including the lands of said Sparrow in the stock law district ;

Which was read a third time and passed—yeas 16, nays 2.

Yeas—Messrs. Bowles, Brooks of Mobile, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, Luckie, Moorman, McSpadden, Pate, Rushing, Street, Thomas, Titcomb—16.

Messrs. Orr and Seay voted no.

Also, favorably, the bill—

s. 179. For the relief of the tax assessor of Pickens county;

Which, on motion of Mr. Billups, was postponed and made a special order for to-morrow at 12 o'clock, and from day to day until disposed of.

Also, favorably, the bill—

H. B. 45. To amend section one (1) of an act entitled an act to reduce the number of grand and petit jurors in Geneva county, approved February 5, 1877;

Which was read a third time and passed—yeas 19, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Grant, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Street, Titcomb—19.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Alabama, February 9, 1883.

Mr. President:

The Governor has approved the following bill which originated in the Senate:

s. 103. To incorporate the Rockford High School;

Respectfully,

W. G. HUTCHESON,
Recording Secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 9, 1883.

Mr. President:

The House has concurred in the Senate substitute to the bill—

H. B. 379. To provide for the establishment of a separate school district to be known as the Peabody school district in Lee and Russell counties, and for the appointment of a board

of trustees for said school district, with certain powers and privileges.

D. W. McIVER, Clerk.

At the hour of twelve o'clock the Senate proceeded to consider the

SPECIAL ORDERS.

First.

The bill—

H. B. 661. To authorize the investment of certain revenues in the adjustment and settlement of the indebtedness of the counties of Chambers, Lee, Pickens, Randolph and Tallapoosa, incurred on account of stock subscribed to railroad companies ;

Was taken up.

Mr. Shelby offered the following amendment to the substitute reported by the committee :

Add at the end of section four, line twenty-three :

"Provided, that no money shall be paid out under this act until it has been made to appear to the satisfaction of the Auditor, by such proof as may be prescribed by him, that said obligations are filed for settlement by their lawful owners. And in the event of a controversy, of which the Auditor shall have received notice in writing, concerning the ownership of said obligations, no part thereof shall be paid until the determination of such controversy."

The amendment was adopted.

Mr. Troy offered an amendment to the substitute, which was adopted, viz :

In the 16th line (printed copy), 4th section, insert "above" between the words, "as" and "provided," and strike out the words "in the preceding section" in same line.

Mr. Brewer moved to further amend the substitute by inserting, "to the payment of the school fund of the same," after the word, "county," in tenth line of section one.

On motion of Mr. Troy, the amendment was tabled—yeas 18, nays 14.

Yeas—Messrs. President, Billups, Brooks of Macon, Brown, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Norman, Oden, Orr, Pate, Street, Thomas, Troy, Ware—18.

Nays—Messrs. Bowles, Brewer, Brooks of Mobile, David-

son, Farnham, Gardner, Jackson, Moorman, McSpadden, Rushing, Seay, Shelby, Smith, Titcomb—14.

On motion of Mr. Brooks of Macon, the word "twelve" was inserted in section two, line twelve, of the substitute, (printed copy), in lieu of the word "six."

Mr. Pate offered an amendment which was adopted, as follows :

Amend substitute, section one, line nine, (printed copy), by adding "1885 and 1886" after the figures "1884," and by striking out "and" before the figures "1884," in the same line.

Mr. Hargrove moved to postpone the further consideration of the bill till Monday next.

Lost.

On motion of Mr. Troy, the substitute was further amended by striking out "transferred," in section 6, line two, (printed copy), and inserting "appropriated."

The substitute was adopted.

The bill was read a third time and passed—yeas 17, nays 10.

Yeas—Messrs. President, Billups, Brooks of Macon, Brown, Gardner, Griffin, Jones, Luckie, Norman, Oden, Orr, Pate, Rushing, Street, Thomas, Troy, Ware—17.

Nays—Messrs. Bowles, Farnham, Grant, Hargrove, Jackson, Mitchell, McSpadden, Seay, Shelby, Smith—10.

ADJOURNMENT.

At 2:30 p. m., on motion of Mr. Smith, the Senate adjourned.

FORTIETH DAY.

SATURDAY, February 10, 1883.

The Senate met pursuant to adjournment.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—32.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Thomas for the day.

RESOLUTIONS.

By leave, Mr. Smith offered the following resolution :

Resolved, That on Monday next the Senate convene at 9½ o'clock, a. m., and adjourn at 2 o'clock p. m., and re-convene at 4 o'clock p. m., and adjourn at 6 o'clock p. m., and that such shall be the hours for convening and adjourning on each day thereafter for the remainder of the session.

Mr. Brooks of Mobile, offered as a substitute therefor, as follows :

Resolved, that hereafter the Senate shall convene at 9 o'clock a. m., and adjourn at 3 o'clock p. m. ;

Which, on motion of Mr. Smith, was tabled—yeas 19, nays 10.

Yeas—Messrs. President, Billups, Bowles, Brewer, Davidson, Farnham, Griffin, Hargrove, McClellan, Mitchell, Norman, Orr, Pate, Rushing, Smith, Street, Titcomb, Troy and Ware—19.

Nays—Messrs. Brooks of Mobile, Gardner, Grant, Jones, Luckie, Moorman, McSpadden, Oden, Seay, Shelby—10.

Mr. McClellan offered an amendment, which was adopted, as follows :

“ And that the afternoon session shall be devoted to reports of standing committees.”

The resolution was adopted.

By leave, Mr. Brewer offered a joint resolution, as follows :

Resolved by the Senate, the House of Representatives concurring, that the expenses for witnesses, clerk hire, sheriff's fees, etc., incurred by the joint committee of the two houses, appointed January 31, 1883, to investigate the conduct and transactions, etc., of Isaac H. Vincent, late State Treasurer, be, and the same shall be paid out of the appropriation made for the expenses of the General Assembly, and all claims for services, arising under the resolutions raising said joint committee, shall be paid by the State Auditor's warrant on the State Treasurer out of said appropriation, when the claim of the person is certified to by the chairman, and any other two members of said joint committee.

Which, on motion of Mr. Hargrove, was referred to the committee on finance.

Also, a joint resolution—

Providing for the printing of 1000 copies of the report of the joint committee of the two houses appointed to investigate the defalcation of the State Treasurer, etc.;

Which was adopted.

REPORTS FROM SPECIAL COMMITTEE.

By leave, Mr. Rushing, from a special committee, reported favorably the bill—

H. B. 326. To amend an act entitled "An act to prohibit the making, selling or otherwise disposing of spirituous or malt liquors or intoxicating bitters of any kind, in any quantity, within the counties of Dale and Henry, approved February 26, 1881, so far as the same relates to Henry county ;"

Which was read a third time and passed—yeas 21, nays 1.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, McSpadden, Pate, Rushing, Seay, Shelby, Street, Titcomb, Troy—21.

Mr. Orr voted no.

By leave, Mr. Billups, from a special committee, reported favorably, with an amendment, the bill—

s. 272. To provide for the current expenses of Pickens county during the vacancy of tax collector for said county.

The amendment was adopted, as follows :

Amend by adding the county of Chambers to the bill.

The bill was read a third time and passed—yeas 18, nays 0.

Yeas—Messrs. Billups, Bowles, Brooks of Mobile, Davidson, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, Norman, Oden, Orr, Pate, Rushing, Street, Ware—18.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 10, 1883.

Mr. President :

The Speaker of the House having signed the following bills, your signature to the same is requested, viz :

H. B. 71. To increase the jurisdiction of justices of the peace in Dallas, Choctaw, Cherokee, Sumter, Autauga, Perry,

St. Clair, Russell, Barbour, Jackson, Washington, Greene, Morgan, Randolph and Marengo counties.

H. B. 291. For the relief of Benjamin H. Craig, of Dallas county.

H. B. 763. To provide for the survey and locating the line between the counties of Cherokee and Cleburne.

H. B. 379. To establish a separate school district, to be known as the Peabody School District, in Russell county, Alabama, and for the appointment of a board of trustees for said school district, with certain powers and privileges.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing House message.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Shelby (by request)—

s. 383. To enable trustees and assignees to maintain and defend suits in certain cases.

By Mr. Farnham (by request)—

s. 384. To exempt the stock of citizens of Barbour county from liability while depredating upon lands in Bullock county where the stock law exists.

By Mr. McSpadden—

s. 386. To correct errors in the entry of lands granted by the Congress of the United States to the State of Alabama for valueless sixteenth sections, approved August 11, 1848.

By Mr. Seay—

s. 387. To provide for summary judgments against judges of probate and tax collectors.

By Mr. McClellan—

s. 388. To make an appropriation to pay the expenses of the joint committee to investigate the accounts, conduct, bond, etc., of I. H. Vincent, late Treasurer of Alabama.

By Mr. Street—

s. 389. To amend section 17 of an act to provide for the regulation of railroad companies and persons operating railroads in this State, approved February 26, 1881.

Which were severally read a first time and ordered to a second reading.

A petition was presented

By Mr. Brooks of Macon—

s. 385. For amendment of the prohibition law for Tallapoosa county, and retaining the law ;

Which was referred to the committee on temperance.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 9, 1883.

Mr. President :

The House has amended, as therein shown, and as amended, has passed the bill—

s. 229. To incorporate the Alabama and Mississippi Coal Company.

And has concurred in the report of the committee of conference to which was referred the differences between the two houses on the bill—

H. B. 271. To amend section 1719 of the Code.

Also, has concurred in the Senate substitute to the bill—

H. B. 661. To authorize the investment of certain revenues in the adjustment and settlement of the indebtedness of the counties of Chambers, Lee, Pickens, Randolph and Tallapoosa, incurred on account of stock subscribed to railroad companies.

And has originated and passed the bills—

H. B. 853. To provide for the collection by suit of any money of the State of Alabama illegally used by any public officer of the State, or illegally received by any person, partnership or corporation from any public officer, or from any depository or custodian of any of the money of the State.

H. B. 717. To incorporate the Bienville Water Supply Company.

H. B. 743. In execution of the powers of the State of Alabama in relation to the lands granted to this State, which are within fifteen miles from, and on each side of the line of the railroad heretofore known as the Alabama and Chattanooga Railroad, by the act of Congress of June 3, 1856, entitled an act granting public lands in alternate sections to the State of Alabama to aid in the construction of certain railroads in said State, and the act of Congress of

April 10, 1869, entitled an act to renew certain grants of land to the State of Alabama.

And has ordered the same forthwith to the Senate without engrossment.

And has adopted a joint resolution—

Requesting the Governor to furnish information in reference to certain bonds.

Also, has originated and passed the following bills :

H. B. 101. To incorporate the Coosa Mining and Manufacturing Company.

H. B. 708. To repeal an act to incorporate the town of Waterloo, in Lauderdale county, approved February 26, 1872.

H. B. 586. To incorporate the Alabama Chemical and Mining Company.

H. B. 459. To regulate the business of co-operative and mutual aid and relief associations, societies and corporations.

H. B. 802. To authorize private business corporations which may hereafter be organized under the provisions of article 7, chapter 1, part 2, title 1, of the Code, to hold stockholders' and directors' meetings and do corporate acts in other States of the Union.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, just received, the titles of which are set out in the foregoing House message, were severally read a first time and ordered to a second reading.

The House joint resolution, requesting the Governor to furnish information as to certain bonds, was concurred in.

BILLS ON SECOND READING.

The bills—

s. 377. To amend section 79 of an act to incorporate the city of Tuscaloosa, approved March 12, 1873 ;

s. 378. To re-arrange the times of holding the courts of the eastern chancery division of this State ;

s. 379. To provide a fund for the benefit of the supreme court library, without making appropriations from the State treasury therefor ;

s. 380. To repeal an act to regulate the publication of legal notices in the county of Crenshaw, approved December 11, 1873 ;

H. B. 482. To incorporate the Home Real Estate and Loan Company of Selma, Alabama ;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

H. B. 268. To incorporate the Fowl River Improvement and Canal Company ;

H. B. 346. To incorporate the society of alumnæ of the Judson Female Institute, located at Marion, Perry county ;

H. B. 511. To incorporate a board of trustees for the McGready Presbytery of the Cumberland Presbyterian church ;

H. B. 552. To extend the corporate limits of the city of Talladega ;

H. B. 553. To amend section 21 of an act entitled an act to establish a new charter for the city of Talladega, and to repeal all acts in contravention therewith, approved March 1, 1870 ;

H. B. 783. To amend section 9 of an act to incorporate the town of Tuskegee, in the county of Macon, and for other purposes, approved March 15, 1873 ;

Were severally read a second time and referred to the committee on municipal and county organizations.

The bills—

s. 375. To authorize Lucinda Jones, as administratrix of the estate of E. P. Jones, deceased, to sell the law library of said estate, at public or private sale, without an order of court ;

s. 382. To include the land of John R. Hayes, a citizen of Barbour county, in the district in which stock is prohibited from running at large, so far as depredation on said land by stock belonging to parties living in said district is concerned ;

Were severally read a second time and referred to the committee on local legislation.

The bills—

s. 381. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or other intoxicating beverages, within four miles of country schools incorporated under the provisions of section 1994 of the Code ;

H. B. 415. To authorize the probate judges of Tallapoosa and Etowah counties to order an election to determine whether spirituous, vinous or malt liquors, or other intoxicating beverages shall be sold, given away or otherwise dis-

posed of in said counties, the same being prohibited by an act entitled an act to prohibit the sale of spirituous, vinous or malt liquors, or other intoxicating beverages in the counties of Etowah, Cherokee, DeKalb and Tallapoosa counties, approved February 28, 1881 ;

Were severally read a second time and referred to the committee on temperance.

The bill—

H. B. 536. To incorporate the White Sulphur Springs College, in DeKalb county, Alabama ;

Was read a second time and referred to the committee on education.

REPORTS OF STANDING COMMITTEES.

Mr. Titcomb, from the committee on local legislation, reported favorably, the bill—

s. 324. To enable justices of the peace and notaries public in Hale county to impose hard labor in payment of costs.

On motion of Mr. Griffin, the bill was amended by including within the provisions thereof the county of Marengo.

The caption was amended, as follows :

s. 324. To enable justices of the peace and notaries public in Hale and Marengo counties to impose hard labor in payment of costs.

The bill was read a third time and lost—yeas 6, nays 12.

Yeas—Messrs. Brewer, Brooks of Mobile, Gardner, Griffin, Mitchell, McSpadden—6.

Nays—Messrs. President, Billups, Grant, Hargrove, Jones, Luckie, McClellan, Orr, Pate, Rushing, Smith, Troy—12.

On motion of Mr. Smith, the vote by which the bill was lost was reconsidered, and the bill was postponed and made a special order for 12 o'clock to-day.

Also, favorably, with an amendment, the bill—

H. B. 95. To repeal an act for the preservation of game animals and birds in the counties of Mobile, Choctaw, Monroe, Clarke, Washington, Baldwin, Marengo, Lowndes, Sumter, Escambia, Hale, Dallas, Montgomery and Greene, approved February 2, 1877, so far as the same applies to that part of Sumter county lying south of the township line dividing townships 18 and 19.

The amendment was adopted, as follows :

Amend bill by striking out the last two lines, and inserting in lieu thereof the words "Sumter county."

Also, amend the caption to correspond with the bill as amended.

The bill was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy—25.

Also, reported a substitute for the bill—

H. B. 44. To amend section 1 of an act, approved February 13, 1879, for the preservation of game animals and birds in the counties therein named, so far as it relates to the county of Greene.

The substitute was adopted, with caption as follows :

H. B. 44. To amend section 1 of an act for the preservation of game animals and birds in the counties of Mobile, Monroe, Marengo, Baldwin, Dallas, Lowndes, Hale, Montgomery, Clarke, Greene, Wilcox, Pike, Talladega, Pickens, Bibb, Autauga, Chilton, Clay and Jefferson, approved February 13, 1879, so far as the same is applicable to Greene and Pickens counties.

The bill was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Mobile, Brown, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy, Ware—24.

Also, favorably, the bill—

H. B. 319. To amend section one (1) of an act entitled an act to amend section 1544 of the Code of Alabama, so far as the same relates to the counties of Blount, Cullman, Cleburne, Washington, Coosa, Autauga, St. Clair, Elmore, Marshall, Dale and Chilton, so far as the same relates to the county of Chilton ;

Which was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. Billups, Bowles, Brooks of Mobile, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Oden, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—24.

Also, favorably, the bill—

H. B. 579. To define the jurisdiction of justices of the

peace and of notaries public, who are *ex officio* justices of the peace of precinct 21, in Jefferson county, and to provide for service of all process from their courts ;

Which was read a third time and passed—yeas 28, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy—28.

Also, favorably, with amendments, the bill—

H. B. 172. To prohibit the sale of liquors in Dallas county, except in Selma.

The amendments were adopted as follows :

Amend by adding to the bill, "Provided, That the provisions of this act shall not apply in Cahaba and Brown beats in said county."

"Provided, further, That the effect and operation of this act shall be suspended and of no force within the area of territory covered by a radius of three (3) miles from any named centre, whenever a majority of the freeholders residing in such area of territory shall sign a petition in favor of any person, or persons, to have license granted to them for the privileges and rights which this act prohibits, and directed to the probate judge of Dallas county, requesting such license to be granted to said person, or persons, and upon presenting such petition the license shall be issued by the probate judge to said person, or persons, as if this act had not been passed."

The bill was read a third time and passed—yeas 17, nays 2.

Yeas—Messrs. Brewer, Brooks of Mobile, Davidson, Gardner, Grant, Griffin, Hargrove, McClellan, Mitchell, Moorman, McSpadden, Orr, Rushing, Street, Titcomb, Troy, Ware—17.

Messrs. Billups and Jackson voted no.

Also, favorably, with amendments, the bill—

H. B. 265. To prohibit stock from running at large in Dallas county, except in certain portions of said county herein specified.

The amendment was adopted as follows :

Amend by striking out all after the word "another" in the fourth line of section one of the bill down to the word "must," in the beginning of the 19th line of the first section of the bill, and insert in lieu thereof, "in that part of Dallas county which lies west and north of the Alabama river and west of Valley creek."

The caption was also amended as follows :

H. B. 265. To prohibit stock from running at large in a portion of Dallas county.

The bill was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Smith, Street, Titcomb, Troy—22.

Also, favorably, the bill—

H. B. 686. For the relief of Edward P. Herpine, of the county of Mobile ;

Which was read a third time and passed—yeas 19, nays 0.

Yeas—Messrs. Bowles, Brooks of Macon, Brooks of Mobile, Farnham, Gardner, Griffin, Hargrove, Luckie, McClellan, Mitchell, McSpadden, Orr, Pate, Rushing, Shelby, Street, Titcomb, Troy, Ware—19.

Also, favorably, with amendments, the bill—

H. B. 622. To amend an act, approved December 12, 1882, and entitled an act to amend an act entitled an act for the protection of lands and plantations from depredations by stock in Bullock county, approved December 8, 1880.

The amendment was adopted as follows :

Amend by striking out the word "or" in line 5, section 2, and inserting the word "and" in the place thereof.

The bill was read a third time and passed—yeas 18, nays 0.

Yeas—Messrs. Bowles, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Griffin, Hargrove, Jones, Mitchell, Moorman, Norman, Orr, Pate, Rushing, Street, Titcomb, Troy, Ware—18.

Also, favorably, the bill—

H. B. 626. To make an appropriation to pay the costs in civil suits instituted by the State and in which the State is cast ;

Which was read a third time, and, on motion of Mr. Seay, recommitted to the finance committee.

Also, favorably, the bill—

s. 352. To amend section one of an act entitled an act for the preservation of game animals and birds in the counties of Mobile, Monroe, Montgomery, Marengo, Baldwin, Dallas, Lowndes, Hale, Clarke, Greene, Wilcox, Pike, Talladega, Pickens, Bibb, Autauga, Chilton, Clay and Jefferson, so far as the same applies to Hale county.

On motion of Mr. Seay the bill and title were amended by

inserting the words "approved February, 13, 1879," after the word "Jefferson."

On motion of Mr. Seay the bill was postponed and made a special order for 11 o'clock on Tuesday next, and from day to day till disposed of.

By leave, Mr. Farnham, from the judiciary committee, returned the bill—

s. 108. To provide for the removal of estates of deceased persons by the heirs, distributees, devisees, legatees, or legal representatives of such estates, from the probate courts into the chancery courts;

Which was tabled, and 150 copies thereof ordered printed.

Mr. Brooks of Macon, from the committee on education, reported favorably the bill—

s. 241. To assist the University of Alabama in providing additional room for students and facilities for instruction.

Mr. Harrison (Mr. Troy presiding) offered a substitute for the bill, and, on his motion, both the bill and substitute were postponed and made a special order for Monday immediately after reading the journal, and 150 copies of each ordered printed.

REPORT OF CONFERENCE COMMITTEE.

Mr. Seay, from a committee of conference, submitted the following report:

Mr. President :

The conference committee, to which was referred the disagreement of the two Houses on the Senate amendment to the bill—

H. B. 271. To amend section 1719 of the Code;

Have had the same under consideration and recommend that the House concur in the Senate amendment to the bill.

THOS. SEAY,

J. B. MITCHELL,

L. H. BOWLES,

Of the Senate.

S. A. M. WOOD,

C. D. HOGUE,

J. H. BRANCH,

Of the House.

The report of the conference committee was concurred in—
yeas 24, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Davidson, Farnham, Gardner, Grant, Griffin, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy, Ware—24.

At the hour of 12 o'clock, m., the Senate proceeded to consider

THE SPECIAL ORDERS.

First.

The bill—

s. 33. To prevent speculations in futures ;

Which, on motion of Mr. Troy, was postponed and made a special order for Monday, after reading the journal.

Second.

The House substitute to the bill—

s. 144. To regulate the hiring and treatment of State and county convicts ;

Was, on motion of Mr. Gardner, postponed and made the special order on Monday, immediately after reading the journal.

Third.

The bill—

H. B. 577. In aid of the exercise of the power of disposal conferred on the Legislature of Alabama, by the act of Congress of June 3d, 1856, entitled an act granting public lands, in alternate sections, to the State of Alabama to aid in the construction of certain railroads in said State ;

Was taken up and read a third time.

By unanimous consent, Mr. Jones offered the following amendment :

Provided further, That this act shall not become operative or go into effect until the bondholders of the Alabama & Chattanooga Railroad Company shall pay to the State a sum at least equal to forty thousand dollars.

Pending the consideration of which—

ADJOURNMENT.

On motion of Mr. Farnham, at 2 p. m., the Senate adjourned.

FORTY-FIRST DAY.

MONDAY, February 12, 1883.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Howell, of Cleburne.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Ware—30.

The journal of yesterday was read and approved.

CALL OF THE DISTRICTS.

Bills were introduced :

By Mr. Jackson (by request)—

s. 390. To authorize chancellors to amend errors and mistakes in final decrees ;

Also, (by request),

s. 391. To confer jurisdiction on justices of the peace against married women owning separate statutory estates.

By Mr. McSpadden—

s. 392. To incorporate the Rome and Decatur Railroad Company, and to authorize the same to engage in mining and manufacturing.

By Mr. Hargrove—

s. 394. To provide for the disposition of the wife's dower in the real estate of the husband when she is insane.

By Mr. Troy—

s. 395. To prevent the use of buildings for keeping or exhibiting gaming tables ;

Also,

s. 396. To amend section 2131 of the Code declaring gaming contracts void.

By Mr. Thomas—

s. 397. To amend sections 5, 7, 13, 17, 31, 37, 38, and 40 of an act to establish a new city charter for Eufaula, approved February 28th, 1870.

By Mr. McClellan—

s. 398. To revive and continue in force the Chickasaw, Birmingham and Tuscaloosa Railroad and Mining and Manufacturing Company ;

Which were severally read a first time and ordered to a second reading.

A memorial was presented

By Mr. McSpadden—

s. 393. Memorial from citizens of Etowah county praying that the question of prohibition be submitted to a vote of the people of the county ;

Which was referred to the committee on temperance.

BILLS ON SECOND READING.

The bills—

s. 383. To enable trustees and assignees to maintain and defend suits in certain cases ;

s. 387. To provide for summary judgments against judges of probate and tax collectors ;

s. 389. To amend section 17 of an act to provide for the regulation of railroad companies and persons operating railroads in this State, approved February 26th, 1881 ;

H. B. 802. To authorize private business corporations which may hereafter be organized under the provisions of article 7, chapter 1, part 2, title 1 of the Code, to hold stockholders and directors meetings, and do corporate acts in other States of the Union ;

H. B. 853. To provide for the collection, by suit, of any money of the State of Alabama illegally used by any public officer of the State, or illegally received by any person, partnership, or corporation, from any public officer, or from any depositary, or custodian of any of the money of the State ;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

H. B. 708. To repeal an act to incorporate the town of Waterloo, in Lauderdale county, approved February 26th, 1872 ;

H. B. 717. To incorporate the Bienville Water Supply Company ;

Were severally read a second time and referred to the committee on municipal and county organizations.

The bills—

H. B. 101. To incorporate the Coosa Mining and Manufacturing Company ;

H. B. 586. To incorporate the Alabama Chemical and Mining Company ;

Were severally read a second time and referred to the committee on internal improvements.

The bills—

s. 386. To correct errors in the entry of lands granted by the Congress of the United States to the State of Alabama for valueless 16th sections, approved August 11th, 1848 ;

H. B. 459. To regulate the business of co-operative and mutual aid and relief associations, societies and corporations ;

Were severally read a second time and referred to the committee on revision of laws.

The bill—

s. 384. To exempt the stock of citizens of Barbour county from liability while depredating upon lands in Bullock county where the stock law exists ;

Was read a second time and referred to the committee on local legislation.

The bills—

s. 388. To make an appropriation to pay the expenses of the joint committee to investigate the accounts, conduct, bond, etc., of I. H. Vincent, late Treasurer of Alabama ;

H. B. 743. In execution of the power of the State of Alabama in relation to the lands granted to this State, which are within fifteen miles from, and on each side of the line of the railroad heretofore known as the Alabama and Chattanooga railroad by the act of Congress of June 3d, 1856, entitled an act granting public lands in alternate sections to the State of Alabama to aid in the construction of certain railroads in said State, and the act of Congress of April 10th, 1869, entitled an act to renew certain grants of land to the State of Alaba ;

Were read a second time and referred to the committee on finance.

HOUSE MESSAGE.

The Senate concurred in the House amendment to the bill—

s. 229. To incorporate the Alabama and Mississippi Coal Company—yeas 24, nays 0.

Yeas—Messrs. Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Griffin, Hargrove, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—24.

UNFINISHED BUSINESS.

The bill—

H. B. 577. In aid of the exercise of the power of disposal conferred on the legislature of Alabama by the act of Congress of June 3d, 1856, entitled an act granting public lands in alternate sections to the State of Alabama to aid in the construction of certain railroads in said State ;

Was taken up.

By leave, Mr. Troy offered a substitute for the pending amendment, and, pending its consideration, on motion of Mr. McSpadden, the bill was recommitted to the finance committee.

ENROLLED BILLS.

Mr. Orr, from the committee on enrolled bills, reported the following bill correctly enrolled :

s. 229. To incorporate the Alabama and Mississippi Coal Company,

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 12, 1883.

Mr. President :

The Speaker of the House having signed the following bills, your signature to the same is requested, viz :

H. B. 45. To amend section (1) one, of an act entitled an act to reduce the number of grand and petit jurors in Geneva county, approved February 5, 1877 ;

H. B. 271. To amend section 1719 of the Code ;

H. B. 661. To authorize the investment of certain revenues in the adjustment and settlement of the indebtedness of the counties of Chambers, Lee, Pickens, Randolph and Tallapoosa, incurred on account of stock subscribed to railroad companies.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing House message and report of the enrolling committee.

THE SPECIAL ORDERS.

First.

The bill—

s. 33. To prevent speculations in futures ;

Was, on motion of Mr. Troy, taken up.

Mr. Troy offered a substitute for the pending substitute, and on his motion, the bill and substitute were postponed and made a special order for to-morrow, at 10 o'clock, and from day to day, till disposed of, and 150 copies of the substitute ordered printed for the use of the General Assembly.

Second.

On motion of Mr. Billups, the bill—

s. 179. For the relief of the tax assessor of Pickens county ;

Was taken up, read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Griffin, Hargrove, Jackson, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Street, Thomas, Titcomb, Ware—25.

Third.

The bill—

s. 241. To assist the University of Alabama in providing additional room for students and facilities for instruction ;

Was taken up.

Mr. Seay moved to recommit the bill and substitute to the finance committee.

Mr. McSpadden moved to recommit the bill and substitute to the committees on finance and education, with instructions to report on Wednesday morning next, the bill making

additional appropriations for the public schools ; also, those bills making appropriations for the University, and the Agricultural and Mechanical College.

Mr. McClellan moved as a substitute, that the reference be to the finance committee alone.

Lost.

The motion prevailed—yeas 21, nays 10.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brown, Gardner, Jackson, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Street, Titcomb—21.

Nays—Messrs. Brooks of Macon, Brooks of Mobile, Farnham, Griffin, Hargrove, Jones, Smith, Thomas, Troy and Ware—10.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 12, 1883.

Mr. President :

The House has adopted the Senate joint resolution relative to the printing of the report of the joint committee to investigate the conduct and transactions of I. H. Vincent, late State Treasurer ;

And has concurred in the first Senate amendment to the bill—

H. B. 172. To prohibit the sale of liquor in Dallas county, except in Selma ;

And refuses to concur in the second Senate amendment to the same ;

Also concurs in the Senate amendment to the bills—

H. B. 95. To repeal an act for the preservation of game animals and birds in the counties of Mobile, Choctaw, Monroe, Clark, Washington, Baldwin, Marengo, Lowndes, Sumter, Escambia, Hale, Dallas, Montgomery and Greene, approved February 2d, 1877, so far as the same applies to that part of Sumter county lying south of the township line dividing townships eighteen (18) and nineteen (19).

H. B. 265. To prohibit stock from running at large in Dallas county, except in certain portions of said county herein specified.

H. B. 622. To amend an act, approved December 12, 1882, and entitled an act to amend an act entitled an act for the

protection of lands and plantations from depredations by stock in Bullock county, approved December 8, 1880.

And has adopted the Senate amendment in the nature of a substitute to the bill—

H. B. 44. To amend section 1 of an act, approved February 13, 1879, for the preservation of game animals and birds in the counties therein named, so far as it relates to the county of Greene.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 12, 1883.

Mr. President:

The House has originated and passed the following bills, viz:

H. B. 10. For the relief of Delia Edwards, of Choctaw county, as the adopted heir of Adam Burgess, deceased.

H. B. 23. To repeal an act to require tax assessors of Dallas and Montgomery counties to give notice in a newspaper of their attendance at the precincts, and to keep their offices open during the month of January, approved February 28, 1881.

H. B. 33. To provide for a registration of all claims against the fine and forfeiture fund of Clarke county.

H. B. 35. To repeal an act entitled an act for the preservation of game animals and birds in the counties of Lamar, Marion and Coosa, so far as the same relates to Coosa.

H. B. 64. To repeal an act entitled an act for the protection of fish in Baldwin county, approved February 3, 1881.

H. B. 100. To punish a person drunk and disorderly in a public place.

H. B. 119. To repeal an act for the preservation of game animals and birds in the counties of Lamar, Marion and Coosa, approved March 1, 1881, so far as the same relates to Marion county.

H. B. 145. To repeal an act, approved March 18, 1875, to consolidate the offices of sheriff and tax collector of the county of Fayette.

H. B. 366. To abolish the county court of Greene county, and repeal chapter 6 of title 9, of part 1, and of chapter 6, of title 3, of part 5 of the Code of Alabama, so far as the same applies to Greene county.

H. B. 212. To form a separate school district out of townships 5 and 6, ranges 21 and 2, embracing the Clintonville school, in Coffee county.

H. B. 275. To amend an act entitled an act for the preservation of game animals and birds in Perry county, approved February 26, 1881.

H. B. 250. To authorize and empower the corporate authorities of the town of Anniston to levy and collect license taxes upon all occupations and avocations that may be carried on within the corporate limits of said town.

H. B. 197. To relieve Charles R. Long, of Montgomery county, of the disabilities of non-age.

H. B. 239. For the preservation of game animals and birds in the county of Tuscaloosa.

H. B. 547. To authorize and empower the commissioners court of Macon county to establish and define districts in said county, in which stock shall be prevented from running at large, and to provide for the enforcement of the orders of said court establishing and defining said districts.

H. B. 788. To carry into effect any plan or scheme for the compromise, adjustment and settlement of the existing indebtedness of the late corporation, known as the city of Selma, which may be agreed upon between the creditors of the said city of Selma, and the commissioners of the city of Selma appointed under and by virtue of an act to vacate and annul the charter and dissolve the corporation of the city of Selma, and to provide for the application of the assets thereof to the payment of the debts thereof, approved December 11, 1882.

The House has originated and passed the bill—

H. B. 578. To amend an act to establish a new charter for the city of Birmingham, approved March 1, 1881;

And ordered the same forthwith to the Senate without engrossment.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set out in the foregoing House message, were severally read a first time and ordered to a second reading.

The Senate insisted on its second amendment to the bill—

H. B. 172. To prohibit the sale of liquors in Dallas county, except in Selma;

And requests a committee of conference thereon.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., February 12, 1883.

Mr. President:

The Governor has approved the following bills, which originated in the Senate:

s. 204. To change the time of holding the circuit court in Bullock county.

s. 229. To incorporate the Alabama and Mississippi Coal Company.

W. G. HUTCHESON,
Recording Secretery.

REPORTS FROM STANDING COMMITTEES.

By leave, Mr. Smith, from the committee on municipal and county organizations, reported favorably, with an amendment, the bill—

s. 273. To incorporate the town of Fort Deposit, in the county of Lowndes.

The amendment was adopted, as follows:

Amend by striking out in section 7, all after the words, "of the same," in the 31st line.

The bill was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Mobile, Brown, Farnham, Gardner, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb—21.

RECESS.

At 2 p. m., the Senate took a recess till 4 p. m.

AFTERNOON SESSION.

The Senate re-assembled at 4 p. m.

A quorum present.

REPORTS OF STANDING COMMITTEES.

Mr. Brooks of Macon, from the committee on education, reported favorably, the bill—

s. 224. To increase the appropriation for the public schools from \$130,000, as provided in the general appropriation bill, approved December 12, 1882, to \$230,000 ;

Which, on motion of Mr. McSpadden, was recommitted to the committees on finance and education, with same instructions as given to those committees on similar bills this morning.

Also, favorably, with an amendment, the bill—

s. 93. To establish a normal school for the education of white male and female teachers, at Jacksonville, in Calhoun county;

Which was recommitted to the committees on finance and education, with instructions to report by Wednesday next.

Also, favorably, the bill—

s. 245. To constitute the town of Tuskegee a separate school district ;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb—23.

Also, favorably, the bill—

s. 291. To create a separate school district of certain fractional townships in Dallas county ;

Which was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Shelby, Street, Titcomb, Troy, Ware—25.

Also, favorably, the bill—

H. B. 435. To establish a separate school district in Macon county, to be known as the Faunsdale School District ;

Which was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Smith, Street, Titcomb, Ware—22.

Also, favorably, the bill—

s. 223. To establish a State normal school, for the education of white female teachers and students, at Livingston, in Sumter county.

Mr. Troy offered an amendment, as follows :

Insert after the word "whites," in last line on first page, the words "of Sumter county."

The bill was recommitted to the committees on finance and education, with the instructions accompanying the bills on like subjects previously committed to said committees.

Mr. Titcomb, from the same committee, reported favorably the bill—

s. 146. To establish a normal school at Bladon Springs, in Choctaw county ;

Which was recommitted to the committees on finance and education, with instructions to report by Wednesday next.

Also, favorably, the bill—

s. 287. To incorporate Dayton Academy ;

Which was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. President, Billups, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Street, Titcomb, Ware—21.

Also, favorably, the bill—

s. 300. To constitute the town of Jacksonville, in Calhoun county, a separate school district ;

Which was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, McSpadden, Norman, Orr, Pate, Rushing, Street, Titcomb—22.

By leave, Mr. McClellan, from the committee on municipal and county organizations, reported favorably the bill—

H. B. 783. To amend section 9 of an act to incorporate the town of Tuskegee, in the county of Macon, and for other purposes, approved March 15, 1873 ;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Jones, McClellan, Mitchell, McSpadden, Norman, Orr, Street, Titcomb, Troy, Ware—20.

Mr. Brooks of Macon, from the committee on education, reported favorably the bill—

H. B. 481. To authorize the board of directors of the State normal school and university for the colored race, at Marion, Perry county, to appropriate and expend certain educational funds in the repairing, improving and enlarging of the buildings of said normal school and university ;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, McSpadden, Norman, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Ware—23.

Also, favorably, the bill—

H. B. 333. To amend an act to establish a normal school for colored teachers at Tuskegee, approved February 10, 1881 ;

Which was recommitted to the committees on finance and education, with instructions to report on Wednesday next.

RESOLUTION.

By leave, Mr. Shelby offered a resolution, viz :

Resolved by the Senate (the House of Representatives concurring), That a committee be appointed to prepare and report a bill providing for the appointment of the expert, or experts, to examine the accounts of the several county superintendents of education, and to report thereon under oath to the State Superintendent of Education, said report to be published in the respective counties to which they relate ; and that the chairman of the committee on education of the Senate shall be chairman of said committee.

On motion of Mr. Gardner, the resolution was postponed and made a special order for to-morrow at 12 o'clock.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 12, 1883.

Mr. President :

The House has originated and passed the bills—

H. B. 698. To amend sections 1, 2 and 3 of an act entitled "An act to authorize the commissioners court of Barbour county to establish or abolish districts in which stock may be prevented from running at large," approved December 12, 1882, and to change the title of said act.

H. B. 404. To protect fish in the counties of Madison, Jackson, Marshall and Morgan.

And ordered the same forthwith to the Senate without engrossment.

D. W. McIVER, Clerk.

HOUSE BILLS.

The House bills, the titles of which are set out in the above message, were severally read a first time and ordered to a second reading.

REPORTS OF COMMITTEES.

Mr. Brooks of Macon, from the committee on education, reported favorably the bill—

H. B. 671. To authorize the superintendent of township 5, range 12, west, in Colbert county, to sell certain lands ;

Which was read a third time and passed—yeas 27, nays 0.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, McSpadden, Norman, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy—27.

Mr. Luckie, from the committee on internal improvements, reported favorably the bill—

H. B. 96. To incorporate the Mountain Mills Manufacturing and Railroad Company ;

Which was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, Mitchell, McSpadden, Norman, Orr, Pate, Rushing, Shelby, Street, Titcomb—22.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 12, 1883.

Mr. President :

The House accedes to the request of the Senate for a committee of conference on the bill—

H. B. 172. To prohibit the sale of liquors in Dallas county, except in Selma.

Committee—

Messrs. Simpson, Samford and Walker.

And has amended, as therein shown, and passed the bills—

s. 308. To vacate and annul the charter and dissolve the corporation of the city of Opelika, and to provide for the application of the assets thereof in discharge of the debts of the corporation.

s. 309. To incorporate the district of Opelika, and to provide for the government thereof.

The House has originated and passed the bill—

H. B. 557. To levy taxes for the use of this State and the counties thereof.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The bill—

H. B. 557. To levy taxes for the use of this State and the counties thereof;

Was read a first time and ordered to a second reading.

The Senate concurred in the House amendment to the bill—

s. 308. To vacate and amend the charter and dissolve the corporation of the city of Opelika, and to provide for the application of the assets thereof, in discharge of the debts of the corporation.

Yeas 23, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, McSpadden, Norman, Orr, Pate, Rushing, Smith, Street, Titcomb—23.

On Motion of Mr. Seay, the House amendment to the bill—

s. 309. To incorporate the district of Opelika, and to provide for the government thereof;

Was postponed and made the special order for to-morrow.

ADJOURNMENT.

At 6 o'clock, the Senate adjourned.

FORTY-SECOND DAY.

TUESDAY, February 13th, 1883.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Parker of Etowah.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—32.

The journal of yesterday was read and approved.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 13, 1883.

Mr. President :

The Speaker of the House having signed the following bills, your signature to the same is requested, viz :

H. B. 622. To amend an act entitled an act for the protection of lands and plantations from depredations by stock in Bullock county, approved December 8th, 1880, and approved December 12th, 1882 ;

H. B. 783. To amend section 9 of an act to incorporate the town of Tuskegee, in the county of Macon, and for other purposes, approved March 15th, 1873 ;

H. B. 95. To repeal an act for the preservation of game animals and birds, in the counties of Mobile, Choctaw, Monroe, Clarke, Washington, Baldwin, Marengo, Lowndes, Sumter, Escambia, Hale, Dallas, Montgomery and Greene, approved February 2d, 1877, so far as the same applies to Sumter county ;

H. B. 686. For the relief of Edward P. Herpin, of the county of Mobile ;

H. B. 319. To amend section (1) one of an act entitled an act to amend section 1544 of the Code of Alabama, so far as the same relates to the counties of Blount, Cullman, Cleburne, Washington, Coosa, Autauga, St. Clair, Elmore, Mar-

shall, Dale and Chilton, so far as the same relates to the county of Chilton;

H. B. 579. To define the jurisdiction of justices of the peace and of notaries public, who are *ex-officio* justices of the peace of precinct 21 in Jefferson county, and to provide for service of all process from their courts;

H. B. 265. To prohibit stock from running at large in a portion*of Dallas county;

H. B. 326. To amend an act entitled an act to prohibit the making, selling, or otherwise disposing of spirituous or malt liquors, or intoxicating bitters of any kind, in any quantity, within the counties of Dale and Henry, approved February 26th, 1881, so far as the same relates to Henry county;

H. B. 435. To establish a separate school district in Marengo county, to be known as the Faunsdale school district.

D. W. McIVER, Clerk.

SIGNING BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing House message.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 13, 1883.

Mr. President:

The House has passed, without amendment, the bill:

s. 232. To repeal section 3, and amend an act approved December 8, 1880, to prohibit stock from running at large in certain portions of Wilcox and Marengo counties.

And has adopted the Senate

s. 376. Joint memorial relative to the claims of Pierre Dupont, &c.

And has originated and passed the bills:

H. B. 495. To prevent the violation or evasion of prohibition laws, and of the law requiring license to sell vinous, spirituous, or malt liquors.

H. B. 666. For the relief of J. B. Simpson, A. Lehman, Jas. M. Ferrin, Caswell Ellington, Job Thigpen and A. M.

Crum, as sureties on the official bond of Jos. M. Thigpen, county superintendent of education of Butler county.

H. B. 534. To exempt the organization of the grand and petit juries of the city court of Selma, which was organized at the January term, 1883, from the provisions of an act to regulate the drawing and impanneling of grand and petit juries in Dallas county, approved December 12, 1882.

H. B. 535. To amend an act to regulate the drawing and impanneling of grand and petit juries in Dallas county, approved December 12, 1882.

H. B. 596. To regulate the mode of selecting, drawing and impanenling grand and petit jurors for the county of Mobile.

The House has also originated and passed the following bills :

H. B. 419. To repeal an act for the preservation of game animals and birds in the counties of Mobile, Monroe, Marengo, Dallas, Lowndes, Hale, Montgomery, Clarke, Greene, Wilcox, Pike, Talladega, Pickens, Bibb, Autauga, Chilton, Clay and Jefferson, so far as relates to beat number 1 (Kingdom beat) and beat number 9 (River Bend beat), in Bibb county.

H. B. 225. To prevent camp-hunting in the counties of Marion, Winston and Walker.

H. B. 202. For the protection of game in the county of Pike.

H. B. 442. To protect fish in the State of Alabama.

H. B. 348. To regulate the *ex-officio* fees of the sheriff in Blount county.

H. B. 83. To amend an act to require a person who employs or in any way engages laborers in the counties of Dallas, Perry, and other counties therein named, for the purpose of removing said laborers from this State, to pay a license.

H. B. 307. To incorporate the Talladega Real Estate and Loan Association ;

H. B. 413. To repeal section 4 of an act entitled an act to regulate the fine and forfeiture fund of certain counties, approved February 13th, 1879, in so far as the same relates to Talladega county ;

H. B. 732. To prevent the firing, shooting or exploding of fire works of any character, in or along the public highways and public streets in the counties of Pike, Clarke and Montgomery ;

H. B. 175. To repeal an act approved February 8th, 1877,

regulating the fine and forfeiture fund of the counties of Bibb, Fayette, Marion, and Blount, so far as the same relates to the county of Fayette;

H. B. 339. For the relief of Mary V. Anderson, and Elizabeth M. Anderson, of Greene county, minors under eighteen years of age, from the disabilities of non-age;

H. B. 734. To fix the time for holding the circuit courts in St. Clair county;

H. B. 345. To transfer the jury funds to the special funds of Washington county;

H. B. 302. To fix and regulate the price of theatrical license in Marion, Perry county;

H. B. 174. To allow the qualified voters of Escambia county to locate the county site by ballot;

H. B. 24. To repeal an act entitled an act to require the tax collectors of Dallas and Montgomery counties to give notice in a newspaper of their attendance at the precincts, and to keep their offices open during the month of January, approved February 28th, 1881.

H. B. 432. To repeal an act entitled an act to prevent attorneys and solicitors becoming sureties on official bonds of officers of courts, so far as the same relates to the county of Jackson;

H. B. 634. To prevent fishing in the waters of Dallas county, except in the Alabama and Cahaba rivers;

H. B. 554. To authorize the mayor and Aldermen of the city of Talladega to license and regulate hawkers, peddlers and itinerant dealers in merchandize.

D. W. McIVER, Clerk.

HOUSE MESSAGE.

The House bills, the titles of which are set out in the foregoing House message, were severally read a first time and ordered to a second reading.

CALL OF THE DISTRICTS.

Bills were introduced:

By Mr. Brooks of Macon—

s. 400. To authorize and empower the court of county commissioners of Lee county to settle the bonded indebtedness of said county, issued for or on account of stock subscribed to railroad companies;

Which was read a first time and ordered to a second reading.

s. 399. Memorial of the citizens of Lawrence county asking to have the election law of 1876 restored ;

Which was referred to the committee on privileges and elections.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., February 13, 1883.

Mr. President :

I am directed by his Excellency, the Governor, to communicate to the Senate these messages in writing.

W. G. HUTCHESON,
Recording Secretary.

EXECUTIVE SESSION.

At 12 m. the Senate went into executive session to consider the communications just received from his Excellency, the Governor.

The executive session being dissolved, the doors were thrown open and the Senate resumed its regular order.

BILLS ON SECOND READING.

The bills—

s. 390. To authorize chancellors to correct errors and mistakes in final decrees ;

s. 391. To confer jurisdiction on justices of the peace against married women owning separate statutory estates ;

s. 394. To provide for the disposition of the wife's dower in the real estate of the husband when she is insane ;

s. 395. To prevent the use of buildings for keeping or exhibiting gaming tables ;

s. 396. To amend section 2131 of the Code declaring gaming contracts void ;

H. B. 100. To punish a person drunk and disorderly in a public place ;

H. B. 197. To relieve Charles R. Long, of Montgomery county, of the disabilities of non-age ;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

H. B. 404. To protect fish in the counties of Madison, Jackson, Marshall and Morgan;

H. B. 10. For the relief of Delia Edwards of Choctaw county, as the adopted heir of Adam Burgess, deceased;

H. B. 33. To provide for a re-registration of all claims against the fine and forfeiture fund of Clarke county;

H. B. 145. To repeal an act approved March 18th, 1875, "to consolidate the offices of sheriff and tax collector of the county of Fayette;"

Were severally read a second time and referred to the committee on the revision of laws.

The bills—

H. B. 266. To abolish the county court of Greene county, and to repeal chapter 6, of title 9, of part 1, and chapter 6, of title 3, of part 5, of the Code of Alabama, so far as the same applies to Greene county;

H. B. 64. To repeal an act entitled an act for the protection of fish in Baldwin county, approved February 3d, 1881;

H. B. 547. To authorize and empower the commissioners court of Macon county to establish and define districts in said county, in which stock shall be prevented from running at large, and to provide for the enforcement of the orders of said court establishing and defining said districts;

Were severally read a second time and referred to the committee on local legislation.

The bills—

s. 397. To amend sections 5, 7, 13, 17, 31, 37, 38, and 40 of "an act to establish a new city charter for Eufaula, approved February 28, 1870;"

H. B. 578. To amend an act to establish a new charter for the city of Birmingham, approved March 1, 1881;

H. B. 788. To carry into effect any plan, or scheme for the compromise, adjustment and settlement of the existing indebtedness of the late corporation known as the City of Selma, which may be agreed upon between the creditors of said city of Selma and the commissioners of the city of Selma, appointed under and by virtue of an act to vacate and annul the charter and dissolve the corporation of the City of Selma, and to provide for the application of the assets thereof to the payment of the debts thereof, approved December 11, 1882;

H. B. 250. To authorize and empower the corporate author-

ities of the town of Anniston to levy and collect license taxes upon all occupations and avocations that may be carried on within the corporate limits of said town ;

H. B. 698. To amend sections 1, 2, and 3 of an act entitled an act to authorize the commissioners court of Barbour county to establish or abolish districts in which stock may be prevented from running at large, approved December 12, 1882, and to change the title of said act ;

Were severally read a second time and referred to the committee on municipal and county organizations.

The bills—

s. 398. To revive and continue in force the Chickasaw, Birmingham and Tuscaloosa Railroad and Mining and Manufacturing Company ;

H. B. 35. To repeal an act entitled an act for the preservation of game animals and birds in the counties of Lamar, Marion and Coosa, so far as the same applies to Coosa ;

H. B. 119. To repeal an act for the preservation of game animals and birds in the counties of Lamar, Marion and Coosa, approved March 1, 1881, so far as the same relates to Marion county ;

H. B. 239. For the preservation of game animals and birds in the county of Tuscaloosa ;

H. B. 275. To amend an act entitled an act for the preservation of game animals and birds in Perry county, approved February 26, 1881 ;

Were severally read a second time and referred to the committee on internal improvements.

The bills—

H. B. 23. To repeal an act entitled an act to require tax assessors of Dallas and Montgomery counties to give notice in a newspaper of their attendance at the precinct, and to keep their offices open during the month of January, approved February 28, 1881 ;

H. B. 557. To levy taxes for the use of this State and the counties thereof ;

Were severally read a second time and referred to the committee on finance.

The bill—

H. B. 212. To form a separate school district out of townships 5 and 6, ranges 21 and 22, embracing the Clintonville school in Coffee county ;

Was read a second time and referred to the committee on education.

The bill—

s. 392. To incorporate the Rome and Decatur Railroad Company, and to authorize the same to engage in mining and manufacturing;

Was read a second time and referred to a special committee, consisting of Messrs. McSpadden, Brown and Orr.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., February 13, 1883.

Mr. President :

I am directed by his Excellency, the Governor, to communicate to the Senate a message in writing.

W. G. HUTCHESON,
Recording Secretary.

SPECIAL ORDER.

The Senate proceeded to consider the House amendment, by way of substitute, to the bill—

s. 144. To regulate the hiring and treatment of State and county convicts.

Mr. Luckie moved that the Senate non-concur in the House amendment.

Mr. Gardner moved that the Senate proceed to consider the House substitute informally, as in committee of the whole, section by section, for the purpose of offering amendments thereto.

The chair held the motion in order and had precedence of the motion to non-concur.

The motion to consider the House substitute as in committee of the whole, section by section, was agreed to ;

And the Senate proceeded to consider informally, as in committee of the whole, the House substitute for the bill under consideration.

ADJOURNMENT.

At 1:20 o'clock p. m., on motion of Mr. Smith, the Senate arose from the informal consideration of the special order, and took a recess till 4 o'clock p. m.

AFTERNOON SESSION.

The Senate reassembled a 4:20 o'clock p. m.
On motion of Mr. McClellan, the Senate went into

EXECUTIVE SESSION.

At 4:27 o'clock p. m., the executive session being dissolved,
the Senate proceeded to consider the

REPORTS OF STANDING COMMITTEES.

By leave, Mr. Brooks of Macon, from the committee on education, reported favorably the bill—

s. 259. To authorize M. T. Moody, township superintendent of township 13, range 10, Calhoun county, or his successor in office, to sell certain school property in the town of Cross Plains and reinvest the proceeds in other school property in said town.

The bill was read a third time and passed—yeas 30, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy, Ware—30.

By leave, Mr. Troy, from the committee on federal relations, reported favorably the bill—

H. B. 613½. Joint memorial of the General Assembly of Alabama to the Congress of the United States, praying for the passage of a bill to aid in the construction of the Gulf and Chicago Air Line Railroad.

The memorial was concurred in.

Mr. Luckie, from the committee on internal improvements, reported favorably, with an amendment, the bill—

s. 252. To incorporate the Uniontown and Newbern Railroad Company.

The amendment was adopted as follows: "Strike out section seven (7)."

The bill was read a third time and passed—yeas 27, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, Mitchell,

Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Street, Titcomb, Troy, Ware—27.

RESOLUTIONS.

By leave, Mr. Brewer offered a resolution, as follows :

Resolved, That no House bill shall be acted on till all Senate bills shall be acted on that are in the hands of the standing or special committees, and that this rule shall prevail till there has been a call of all the standing committees, but this shall apply only to the afternoon sittings.

Mr. Shelby offered, as a substitute, the following :

Resolved by the Senate, That during the remainder of this session no bill creating a corporation, municipal or private, or amending their charters, nor other special or local bills, shall be reported to or considered by the Senate until after all bills of a public or general nature and of general application, which are or may hereafter be reported on favorably by the respective committees shall have been disposed of ; That this rule shall not be rescinded or suspended except by unanimous consent.

On motion of Mr. McClellan, the substitute was tabled.

The resolution was lost.

By leave, Mr. Smith offered a resolution, which was adopted, as follows :

Resolved, That hereafter the Senate shall meet in the afternoon sessions at 4 p. m., and adjourn at pleasure.

LEAVE OF ABSENCE.

Mr. Smith was granted leave of absence till Monday.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 13, 1883.

Mr. President :

The House has originated and passed the bill :

H. B. 430. To prevent stock from running at large in certain portions of Hale county.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bill, the title of which is set out in the above message, was read a first time and ordered to a second reading.

By leave, Mr. Seay introduced a bill—

s. 401. To amend an act to prevent in certain cases the sale, exchange or transportation of cotton in the counties of Montgomery, Bullock, Dallas, Russell, Lowndes, Wilcox, Sumter, Autauga, and in beats numbers 1, 2, 3, 4, 5, 6, 7, 8 and 9 of Hale, and of cotton produced in said counties, so far as the same applies to Hale county;

Which was read a first time and ordered to a second reading.

The Senate resumed consideration of

REPORTS OF STANDING COMMITTEES.

Mr. Luckie, from the committee on internal improvements, reported favorably, with amendments, the bill—

s. 337. To incorporate the Chicago, Selma and Mobile Railroad.

The amendments were adopted, as follows:

Amend the 3d section by adding thereto, "and when they have conformed to all the existing laws in the premises not in conflict with the laws of this State."

Amend the 4th section by inserting after the word "directors," in the 11th line, the words "after due and reasonable notice of such request of payment."

Amend section 10 by striking out all of said section after the word "thereof," in the 21st line of said section.

Amend section 10 by striking out all after the word "provided," where it last occurs in the section and inserting the following words, "by the laws of Alabama."

The bill was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Hargrove, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Rushing, Seay, Smith, Street, Titcomb—23.

Mr. Luckie, from the same committee, reported favorably, with amendments, the bill—

s. 261. To amend section one (1) of an act for the preser-

vation of game animals and birds in the counties of Mobile, Monroe, etc., approved February 13th, 1879.

The amendments were adopted, as follows :

Strike out "15th of March," where these words occur in the 26th line of the bill, and insert "1st of April."

Strike out "15th day of September" where these words occur in the 27th line of the bill, and insert "1st day of November."

The bill was read a third time and passed—yeas 23, nays 1.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Grant, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Smith, Street, Thomas, Titcomb—23.

Mr. Billups voted no.

Also, a substitute for the bill—

s. 303. To prevent the pasturing of stock where there is no cross or division fence, and for other purposes.

The substitute was adopted, with caption as follows :

s. 303. To prevent the pasturing of stock where there is no cross or division fence, in Cherokee, Etowah and St. Clair counties.

The bill was read a third time and passed—yeas 26, nays 0.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Smith Street, Thomas, Titcomb—26.

Also, favorably, with amendments, the bill—

s. 329. To better protect the citizens of Morgan county against mad or rabid dogs.

The amendments were adopted, as follows :

Insert in the 7th line, after the word "killing," the words "within the limits of the county of Morgan."

After the word "person," in the second line of 2d section, insert the words, "in the county of Morgan."

The bill was read a third time and passed—yeas 26, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Street, Titcomb—26.

Also, reported favorably, the bill—
H. B. 386. To regulate the weight of a bushel of cotton seed.

Which was read a third time and passed—yeas 28, nays 0.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—28.

Also, favorably, the bill—

s. 282. To incorporate the Morgan County Co-operative Association, Patrons of Husbandry, No. 367.

Which was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Gardner, Grant, Griffin, Hargrove, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Shelby, Smith, Street, Thomas, Titcomb—24.

Mr. McClellan, from the committee on municipal and county organizations, reported favorably the bill—

s. 209. To raise a fund for the benefit of the fire companies in the city of Birmingham.

The amendments were adopted, as follows:

1. Amend by inserting between the words, "into" and "the," in line 15, page 1, of the bill, the words "the treasury of the city of Birmingham for the use and benefit of."

2. Amend by inserting between the words, "the" and "fire," in line 9, page 2, of the bill, the words "city of Birmingham for the use of the."

3. Amend by inserting between the words, "the" and "said," in line 14, page 2, of the bill, the words "city of Birmingham to the use and benefit of the."

4. Amend by striking out section 6 and inserting in lieu thereof, the following:

"Section 6. Be it further enacted, That all moneys received by said city of Birmingham under this act, shall be paid over by said city upon receipt to said "fire association."

5. Amend by adding at the end of the bill:

"Section 7. Be it further enacted, That upon the payment, as required by this act, by any insurance company, said city of Birmingham shall issue a license to such company to carry on its business for the term of one year, and may charge such company a fee not exceeding one dollar and fifty cents for the issuance of the same."

The bill was read a third time and passed—yeas 26, nays 0.

Yeas—Messrs. Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—26.

Mr. Smith, from the same committee, reported favorably, with amendments, the bill—

H. B. 483. To regulate the fine and forfeiture fund of Tuscaloosa county.

The amendments were adopted, as follows:

Amend by striking out "six," in the 6th line of section 2, and inserting in lieu thereof, "nine."

Also, by striking out "two," in the 9th line of section 2, and inserting in lieu thereof, "nine."

Amend section 16, by inserting after the word, "registration," in the 8th line, the words, "within the time required by this act."

Also, amend by striking out section 14.

The bill was read a third time and passed—yeas 23, nays 2.

Yeas—Messrs. Bowles, Brewer, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Ware—23.

Messrs. Billups and Troy voted no.

Also, favorably, the bill—

H. B. 551. To amend an act entitled an act to establish a new charter for the town of Marion, in the county of Perry, approved February 16, 1870;

Which was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Rushing, Smith, Street, Titcomb, Troy—21.

All Senate bills passed to-day were ordered to the House forthwith, without engrossment.

ADJOURNMENT.

On motion of Mr. Billups, at 2:30 p. m., the Senate adjourned.

FORTY-THIRD DAY.

WEDNESDAY, February 14, 1883.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Shackelford, of the House.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile Brown, Davidson, Farnham, Grant, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Street, Titcomb, Troy, Ware—29.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Griffin till Thursday, and indefinitely to Mr. Gardner on account of sickness.

ENROLLED BILLS.

Mr. Orr, from the committee on enrolled bills, reported the following bills correctly enrolled :

s. 232. To repeal section 3, and amend an act, approved December 8, 1880, to prohibit stock from running at large in certain portions of Wilcox and Marengo counties.

s. 376. Joint resolution requesting the President of the United States to call the attention of the French government to the claims of Pierre Dupont, lineal descendant of Marshal Francois Lefebvre, the Duke of Dantzic, and ask his restoration to the property rights of his ancestors.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 14, 1883.

Mr. President :

The Speaker of the House having signed the following bills, your signature thereto is requested, viz :

H. B. 96. To incorporate the Mountain Mills Manufacturing and Railroad Company.

H. B. 481. To authorize the board of directors of the State Normal School and University for the colored race, at Marion, Perry county, to appropriate and expend certain educational funds in the repairing, improving and enlarging of the buildings of said normal school and university.

H. B. 671. To authorize the superintendent of township 5, range 12 west, in Colbert county, to sell certain lands.

H. B. 44. To amend an act for the preservation of game animals and birds in the counties of Mobile, Monroe, Marengo, Baldwin, Dallas, Lowndes, Hale, Montgomery, Pickens, Bibb, Clarke, Greene, Wilcox, Pike, Talladega, Autauga, Chilton, Clay and Jefferson, approved February 13, 1879, so far as the same is applicable to the counties of Greene and Pickens.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing House message and report of the enrolling committee.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. McClellan—

s. 403. To amend section 4774 of the Code.

By Mr. Brooks of Mobile—

s. 404. To punish any person who discharges fire arms of any description within 200 yards of any point on the Bay Shell Road, in Mobile county ;

Which were severally read a first time and ordered to a second reading.

The President laid before the Senate—

s. 402. Petitions of citizens of Colbert county against repeal of the sunset and sunrise law ;

Which was referred to the committee on revision of laws.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 14, 1883.

Mr. President :

The House has originated and passed the bills :

H. B. 342. To regulate the discharge of patients from the Alabama Insane Hospital, in certain cases.

H. B. 818. To empower the court of county commissioners of Hale county to extend the limits of the Canebrake Agricultural District, in said county, or to establish new and separate agricultural districts in said county, upon petition of a majority of land owners in any beat or district to be effected thereby.

H. B. 66. To prevent the abandonment of contracts for advances secured in consideration of services to be performed.

Also, has passed without amendment, the bills—

s. 187. To remove the estate of Mary A. Harrell, deceased, from Butler county to Lowndes county.

s. 127. To amend an act to incorporate the Chewacla Lime Company, approved December 9, 1862, and to change the name thereof from "Chewacla Lime Company" to the "Chewacla Lime Works."

And has concurred in the Senate amendments to the bill—

H. B. 483. To regulate the fine and forfeiture fund of Tuscaloosa county.

Also has originated and passed the bills—

H. B. 711. To alter and amend the charter of the city of Huntsville, as established by an act approved March 3d, 1870, entitled an act to establish a new charter for the city of Huntsville, and an act approved February 17, 1871, entitled an act to amend an act to establish a new charter for the city of Huntsville ;

H. B. 428. To limit the amount of spirits prescribed by physicians in Franklin county, State of Alabama ;

H. B. 560. To establish a separate school district to be known as "the Gadsden Public School District ;"

H. B. 719. To authorize Jno. A. Lile, J. C. Baker, and J. N. Wade, securities of S. M. Smith, tax collector of Morgan county, for the year 1875, 1876 and 1877, to collect the unpaid taxes for said years, for the purpose of reimbursing them for monies paid the State ;

H. B. 309. To amend an act entitled an act, to amend an act entitled an act to amend section 5042 of the Code, approved February 13, 1879, approved December 8, 1880;

H. B. 558. To provide for the assessment and collection of taxes for the use of this State and the counties thereof, and to define the duties of officers engaged about the said assessment and collection of taxes;

And ordered the same forthwith to the Senate without engrossment.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, just received, the titles of which are set out in the foregoing House message, were severally read a first time and ordered to a second reading.

BILLS ON SECOND READING.

The bills—

H. B. 24. To repeal an act entitled an act to require the tax collector of Dallas and Montgomery counties to give notice in a newspaper of their attendance at the precincts, and to keep their offices open during the month of January, approved February 28, 1881;

H. B. 539. For the relief of Mary V. Anderson and Elizabeth M. Anderson, of Greene county, minors under eighteen years of age, from the disabilities of non-age;

H. B. 732. To prevent the firing, shooting or exploding fire works of any character in, or along the public highways and public streets in the counties of Pike, Clarke and Montgomery;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

H. B. 596. To regulate the mode of selecting, drawing and empanneling grand and petit jurors for the county of Mobile;

H. B. 174. To allow the qualified voters of Escambia county to locate the county site by ballot;

H. B. 535. To amend an act to regulate the drawing and empanneling of grand and petit juries in Dallas county, approved December 12th, 1882;

H. B. 666. For the relief of J. B. Simpson, A. Lehman,

Jas. McFerrin, Caswell Ellington, Job Thigpen and A. M. Crum, as sureties on the official bond of J. M. Thigpen, county superintendent of education of Butler county ;

H. B. 442. To protect fish in the State of Alabama ;

Were severally read a second time and referred to the committee on industrial resources.

The bills—

H. B. 534. To exempt the organization of the grand and petit juries of the city court of Selma, which was organized at the January term, 1883, from the provisions of an act to regulate the drawing and empanneling of grand and petit juries in Dallas county, approved December 12, 1882 ;

H. B. 432. To repeal an act entitled an act to prevent attorneys and solicitors becoming sureties on official bonds of officers of courts, so far as the same relates to the county of Jackson ;

H. B. 734. To fix the time for holding the circuit courts in St. Clair county ;

H. B. 175. To repeal an act approved February 8th, 1877, regulating the fine and forfeiture fund of the counties of Bibb, Fayette, Marion and Blount, so far as the same relates to the county of Fayette ;

H. B. 413. To repeal section 4 of an act entitled an act to regulate the fine and forfeiture fund of certain counties, approved February 13th, 1879, in so far as the same relates to Talladega county ;

Were severally read a second time and referred to the committee on revision of laws.

The bills—

H. B. 419. To repeal an act for the preservation of game animals and birds in the counties of Mobile, Monroe, Marengo, Dallas, Lowndes, Hale, Montgomery, Clarke, Greene, Wilcox, Pike, Talladega, Pickens, Bibb, Autauga, Chilton, Clay and Jefferson, so far as relates to beat number one, (Kingdom beat), and beat number nine, (Riverbend beat), in Bibb county ;

H. B. 202. For the protection of game in the county of Pike ;

H. B. 225. To prevent camp hunting in the counties of Marion, Winston and Walker ;

Were severally read a second time and referred to the committee on internal improvements.

The bills—

s. 401. To amend an act to prevent, in certain cases, the sale, exchange or transportation of cotton in the counties of Montgomery, Bullock, Dallas, Russell, Lowndes, Wilcox, Sumter, Autauga, and in beats numbers 1, 2, 3, 4, 5, 6, 7, 8 and 9 of Hale, and of cotton produced in said counties, so far as the same applies to Hale county ;

H. B. 430. To prevent stock from running at large in certain portions of Hale county ;

H. B. 33. To amend an act to require a person who employs, or in any way engages laborers in the counties of Dallas, Perry, and other counties therein named, for the purpose of removing said laborers from the State to pay a license ;

H. B. 634. To prevent fishing in the waters of Dallas county, except in the Alabama and Cahaba rivers ;

Were severally read a second time and referred to the committee on local legislation.

The bill—

H. B. 495. To prevent the violation, or evasion of prohibition laws, and of the law requiring license to sell vinous, spirituous, or malt liquors ;

Was read a second time and referred to the committee on temperance.

The bills—

H. B. 302. To fix and regulate the price of theatrical license in Marion, Perry county ;

H. B. 307. To incorporate the Talladega Real Estate and Loan Association ;

Were severally read a second time and referred to the committee on finance.

The bill—

s. 400. To authorize and empower the court of county commissioners of Lee county to settle the bonded indebtedness of said county, issued for, or on account of, stock subscribed to railroad companies.

Was read a second time, and on motion of Mr. Billups, amended by including the county of Pickens within the provisions of the bill.

The bill was referred to the committee on finance.

The bills—

H. B. 345. To transfer the jury funds to the special funds of Washington county ;

H. B. 348. To regulate the *ex officio* fees of the sheriff in Blount county ;

H. B. 554. To authorize the mayor and aldermen of the city of Talladega to license and regulate hawkers, peddlers and itinerant dealers in merchandise ;

Were severally read a second time and referred to the committee on municipal and county organizations.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
Montgomery, February 14, 1883.

Mr. President :

The Governor has approved the following bills, which originated in the Senate—

s. 232. To repeal section 3, and amend an act approved December 8, 1880, to prohibit stock from running at large in certain portions of Wilcox and Marengo counties.

s. 376. Joint resolution requesting the President of the United States to call the attention of the French government to the claims of Pierre DuPont, lineal descendant of Marshal Francois Joseph Lefebvre, the Duke of Dantzic, and ask his restoration to the property rights of his ancestors.

W. G. HUTCHESON,
Recording Secretary.

REPORT FROM COMMITTEES.

On motion of Mr. Farnham, the special orders were suspended for the purpose of considering reports from the committees on finance and education of bills appropriating money for educational purposes.

Mr. Brooks of Mobile, from the committee on finance, reported favorably, with an amendment, the bill—

H. B. 116. To make an additional appropriation to the public schools.

The amendment, as follows :

Strike out "one hundred" and insert "seventy ;"

Was, on motion of Mr. Farnham, tabled—yeas 22, nays 6.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Grant, Hargrove, Jackson, Jones, Luckie, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Street, Titcomb, Ware—22.

Nays—Messrs. President, Brewer, McClellan, Mitchell, Moorman and Troy—6.

Mr. Titcomb offered an amendment, as follows :

Amend by striking out "1883 and 1884" wherever they occur, and insert in lieu thereof "1884 and 1885," respectively.

Mr. Troy moved to strike from the amendment "and 1885 ;"

Which, on motion of Mr. Brooks of Macon, was tabled—yeas 19, nays 8.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham Grant, Hargrove, Jones, Luckie, Moorman, McSpadden, Norman, Oden, Orr, Rushing, Shelby, Titcomb, Ware—19.

Nays—Messrs. President, Brewer, McClellan, Mitchell, Pate, Seay, Street, Troy—8.

Mr. Troy offered an amendment, as follows :

Provided, That the Auditor shall draw no warrant on the treasury for the money hereby appropriated, if the payment of such warrant will, in the opinion of the Auditor, leave in the treasury a sum which, together with the anticipated revenue, will be insufficient to meet the appropriations for the ordinary expenses of the State government and the interest on the public debt.

Mr. Brewer offered an amendment to the amendment, as follows :

Add to the amendment : "And for this purpose, the State Superintendent shall make a separate division sheet of the sum herein appropriated, when he certifies to the Auditor."

On motion of Mr. Titcomb, the amendment to the amendment was tabled.

On motion of Mr. Shelby, the pending amendment was amended by striking out "nor any part thereof."

Mr. Titcomb moved to table the pending amendment.

Lost—yeas 13, nays 13.

Yeas—Messrs. Bowles, Brooks of Macon, Brown, Farnham, Grant, Jackson, Jones, Orr, Rushing, Seay, Shelby, Titcomb, Ware—13.

Nays—Messrs. President, Billups, Brewer, Brooks of Mobile, Davidson, Hargrove, McClellan, Mitchell, McSpadden, Norman, Pate, Street, Troy—13.

The pending amendment was lost—yeas 13, nays 14.

Yeas—Messrs. President, Brooks of Mobile, Davidson, Hargrove, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Pate, Seay, Troy—13.

Nays—Messrs. Billups, Bowles, Brooks of Macon, Brown, Farnham, Grant, Jackson, Jones, Orr, Rushing, Seay, Shelby, Titcomb, Ware—14.

The bill was read a third time and passed—yeas 23, nays 5.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Grant, Hargrove, Jackson, Jones, Luckie, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Rushing, Seay, Shelby, Street, Titcomb, Ware—23.

Nays—Messrs. President, Brewer, Davidson, McClellan, Troy—5.

Mr. Brooks of Macon, from the joint committees of finance and education, reported favorably, with amendments, the substitute to the bill—

s. 241. To assist the University of Alabama in providing additional room for students and facilities for instruction.

The amendments were adopted, as follows:

Amend by striking out all of section 2, after "1883," and insert the following: "and that the balance of said appropriation shall be drawn for during the year 1884."

Strike out "ten" and insert "fifteen," in the third section, and strike out all after "1883" in said section, and insert the following: "and that the remainder of said appropriation shall be drawn for during the year 1884."

The substitute was adopted, with caption as follows:

s. 241. To assist the University of Alabama and the State Agricultural and Mechanical College in furnishing additional room for students and facilities for instruction.

The bill was read a third time.

Mr. Pate moved to reconsider the vote by which the bill was ordered to a third reading.

Lost.

Mr. Billups stated that he was paired with the Senator from Sumter; that he would vote "nay" and the Senator from Sumter "aye," on the passage of the bill.

The bill passed—yeas 19, nays 9.

Yeas—Messrs. Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Hargrove, Jones, Luckie, Mitchell, McSpadden, Norman, Rushing, Seay, Street, Thomas, Titcomb, Ware—19.

Nays—Messrs. President, Brewer, McClellan, Moorman, Oden, Orr, Pate, Shelby, Troy—9.

Also, from same committee, favorably the bill—

H. B. 333. To amend an act to establish a normal school for colored teachers at Tuskegee, approved February 10, 1881;

Which was read a third time and passed—yeas 14, nays 8.

Yeas—Messrs. Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Hargrove, Jones, McClellan, Moorman, Oden, Rushing, Street, Titcomb, Troy, Ware—14.

Nays—Messrs. President, Bowles, Jackson, Mitchell, Norman, Orr, Seay, Shelby—8.

Also, favorably, with amendments, the bill—

s. 93. To establish a Normal school for the education of white male and female teachers, at Jacksonville, in Calhoun county.

The amendments were adopted, as follows :

Amend by striking out "four thousand" in section 1, and inserting "twenty-five hundred."

Also, add after the words, "following named persons," in section 2, the following : "S. K. McSpadden, Jno. M. Caldwell, Jas. Crook, W. P. Howell, Wm. M. Hames, D. A. Adersholt, H. L. Stevenson, W. J. Alexander, J. Y. Nisbet, L. W. Grant, Jno. D. Hammond."

The bill was read a third time and lost—yeas 10, nays 10.

Yeas—Messrs. Brooks of Macon, Brooks of Mobile, Davidson, Grant, Hargrove, Jones, McClellan, Street, Titcomb, Ware—10.

Nays—Messrs. Bowles, Jackson, Mitchell, Moorman, Oden, Orr, Pate, Rushing, Seay, Shelby—10.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 14, 1883.

Mr. President :

The House has concurred in the Senate amendment to the bill :

H. B. 116. To make an additional appropriation to the public schools.

D. W. McIVER, Clerk.

The Senate resumed consideration of

REPORTS FROM COMMITTEES.

Mr. Brooks of Mobile, from the committee on finance and education, reported favorably, with amendments, the bill—
 s. 223. To establish a State Normal school for the education of white female teachers and students, at Livingston, in Sumter county.

Pending the consideration of the bill aforesaid,
 Mr. Rushing arose to a

QUESTION OF PRIVILEGE,

And moved to reconsider the vote by which the bill—
 s. 93. To establish a Normal school for the education of white male and female teachers at Jacksonville, in Calhoun county;
 Was lost.

Mr. Pate moved to postpone the reconsideration till Saturday next.
 Lost.

The motion to reconsider prevailed.

RECESS.

Pending the consideration of the bill, at 2 p. m., the Senate took a recess till 4 p. m.

AFTERNOON SESSION.

The Senate re-assembled at 4 p. m., a quorum present.

REPORTS OF STANDING COMMITTEES.

By leave, Mr. McClellan, from the judiciary committee, reported a substitute for the bill—

s. 297. To further regulate the trial of misdemeanors in Madison county.

Mr. Shelby moved to strike out "four hundred" in the substitute, and insert "three hundred."

Mr. McClellan moved to lay the amendment upon the table.

Carried—yeas 15, nays 5.

Yeas—Messrs. Billups, Bowles, Brooks of Mobile, David-

son, Farnham, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, Norman, Seay, Street, Troy—15.

Nays—Messrs. President, Brown, Pate, Rushing, Shelby—5.

The bill was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, Norman, Rushing, Seay, Shelby, Street, Titcomb, Troy, Ware—23.

At 4:45 p. m., the Senate went into

EXECUTIVE SESSION.

At 5:10 p. m., the executive session being dissolved and the doors opened, the Senate resumed the consideration of

REPORTS OF STANDING COMMITTEES.

Mr. McClellan, from the committee on municipal and county organizations, reported favorably, the bill—

s. 203. To amend the charter of the town of Greensboro, and to confer additional powers and duties on the mayor and council of Greensboro;

Which was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Grant, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, Norman, Orr, Pate, Rushing, Seay, Street, Titcomb, Troy—21.

Also, favorably, the bill—

H. B. 708. To repeal an act to incorporate the town of Waterloo, in Lauderdale county, approved February 26th, 1872;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Grant, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby, Street, Titcomb, Troy—23.

Also, favorably, the bill—

s. 234. To require persons whose claims against Sumter county have been allowed by the commissioners court thereof against the general fund of said county to draw their warrants for the amount within six months;

Which was read a third time and passed—yeas 23, nays 0.
 Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Rushing, Seay, Shelby, Street, Titcomb, Troy—23.

Also, favorably, the bill—

s. 274. To amend section 5 of an act to establish a new charter for the city of Demopolis, approved March 28, 1873 ;
 Which was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Hargrove, Jones, Luckie, McClellan, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Street, Titcomb, Troy—22.

Also, favorably, the bill—

s. 266. To amend an act to incorporate the town of Scottsboro, approved January 20th, 1870 ;

Which was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Hargrove, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Street, Titcomb—21.

Also, favorably, the bill—

H. B. 346. To incorporate the society of Alumnae of the Judson Female Institute, located at Marion, Perry county ;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Seay, Shelby, Street, Titcomb, Troy—23.

By leave, Mr. Jones, from the committee on the judiciary, reported favorably the bill—

s. 378. To re-arrange the times of holding the courts of the eastern chancery division of the State ;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Grant, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, Norman, Orr, Pate, Shelby, Street, Ware—20.

Mr. McClellan, from committee on municipal and county organizations, reported favorably the bill—

s. 369. To authorize the court of county commissioners or commissioners of revenue of the several counties of this State to appoint a special county surveyor ;

Which was read a third time and passed—yeas 21, nays 0
 Yeas—Messrs. Billups, Bowles, Brooks of Mobile, Brown Davidson, Grant, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Seay, Shelby, Street, Troy, Ware—21.

Also, favorably, the bill—

s. 294. To make the clerk of the circuit court of Bibb county *ex officio* clerk of the county court;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Sreet, Titcomb, Troy, Ware—23.

Also, favorably, the bill—

s. 314. To amend an act to amend section 1 of an act to define the corporate limits of the city of Wetumpka;

Which was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. Billups, Bowles, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Seay, Street, Titcomb, Troy, Ware—22.

Also, favorably, from same committee, the bill—

H. B. 784. To repeal an act to authorize the court of county commissioners of Marengo county to levy a special tax to build and repair bridges in said county, or to issue county treasury notes for that purpose, approved February 21, 1866;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Shelby, Street, Titcomb, Troy, Ware—23.

Also, favorably, the bill—

H. B. 161. To regulate the fine, and forfeiture fund of St. Clair county;

Which was read a third time and passed—yeas 18, nays 1.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Street—18.

Mr. Troy voted no.

Also, favorably, from same committee, the bill—

H. B. 578. To amend an act to establish a new charter for the city of Birmingham, approved March 1, 1881;

Which was read a third time and passed—yeas 19, nays 1.
 Yeas—Messrs. President, Billups, Bowles, Brown, Davidson, Farnham, Hargrove, Jones, Luckie, McClellan, Mitchell, McSpadden, Orr, Pate, Seay, Street, Titcomb, Troy, Ware—19.

Mr. Shelby voted no.

By leave, Mr. Seay, from a special committee, reported favorably, with an amendment, the bill—

H. B. 701, To amend an act to incorporate the Southern University at Greensboro, in the county of Greene, and for other purposes, passed January 25, 1856.

The amendment was adopted as follows:

Strike out the name of "Thos. Seay" and insert "F. M. Peterson."

The bill was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Hargrove, Jones, McClellan, Mitchell, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Titcomb, Troy, Ware—21.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
 February 14, 1883.

Mr. President:

The House has originated and passed the bill—

H. B. 901. To prohibit the hiring of county convicts outside of, or beyond the limits of Dallas county;

And ordered the same forthwith to the Senate without engrossment;

And has passed, without amendment, the bill—

s. 29 8. To amend sections 3 and 4 of "an act to authorize the commissioners court, or court or board of county revenues of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry to establish or abolish districts in which stock may be prevented from running at large," approved February 28, 1881, so far as the same relates to Russell county.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set out in the foregoing House message, were severally read a first time and ordered to a second reading.

By leave, Mr. Titcomb introduced a bill—

s. 405. To authorize the court of county commissioners of Escambia county to issue bonds of said county for an amount not exceeding ten thousand dollars for the purpose of building a court house in said county;

Which was read a first time and ordered to a second reading.

All bills passed to-day were ordered to the House forthwith without engrossment.

ADJOURNMENT.

At 6:30 o'clock p. m., on motion of Mr. Brown, the Senate adjourned.

 FORTY-FOURTH DAY.

THURSDAY, February 15, 1883.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Parker, of Etowah.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Street, Thomas, Titcomb, Troy, Ware—32.

The journal of yesterday was read and approved.

ENROLLED BILLS.

Mr. Orr, from committee on enrolled bills, reported the following bills correctly enrolled :

s. 187. To remove the estate of Mary A. Harrell, deceased, from Butler county to Lowndes county.

s. 298. To amend sections 3 and 4 of an act to authorize

the commissioners court, or court or board of county revenues of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry, to establish or abolish districts in which stock may be prevented from running at large, approved February 28, 1881, so far as the same relates to Russell county.

s. 127. To amend an act to incorporate the Chewacla Lime Company, approved December 9, 1862, and to change the name thereof from "Chewacla Lime Company" to "The Chewacla Lime Works."

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 15, 1883.

Mr. President:

The Speaker of the House having signed the following bills, your signature to the same is requested, viz:

H. B. 423. To incorporate the inhabitants and territory formerly embraced within the corporate limits of the municipal corporation, since dissolved, styled the city of Selma, and to establish a local government therefor.

H. B. 784. To repeal an act to authorize the court of county commissioners of Marengo county to levy a special tax to build and repair bridges in said county, or to issue county treasury notes for that purpose, approved February 21, 1866.

H. B. 483. To regulate the fine and forfeiture fund of Tuscaloosa county.

H. B. 386. To regulate the weight of a bushel of cotton seed.

H. B. 708. To repeal an act to incorporate the town of Waterloo, in Lauderdale county, approved February 26, 1872.

H. B. 551. To amend an act entitled an act to establish a new charter for the town of Marion in the county of Perry, approved February 16, 1870.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed

the bills, the titles of which are set out in the foregoing House message and report of enrolling committee.

CALL OF THE DISTRICTS.

Memorials were presented—

By Mr. Shelby—

s. 406. Memorial of the board of mayor and aldermen of Huntsville against the bill to re-district that city;

Also,

s. 407. Memorial of the citizens of Huntsville against the passage of the bill re-dividing that town into new wards;

Also,

s. 408. Memorial of the citizens of Huntsville against the passage of a bill creating new offices in that town;

Also,

s. 409. Memorial of the citizens of Huntsville against the bill now pending in the Senate to divide that town into new wards;

Which were referred to the committee on local legislation

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 15, 1883.

Mr. President:

The House has originated and passed the following bills:

H. B. 278. To amend an act entitled an act to amend section 3496 of the Code, approved December 7, 1878.

H. B. 392. To prevent stock, in a certain event, from running at large in Chambers county, and to provide for the enforcement of the same.

H. B. 584. To prevent fence breaking animals from running at large.

H. B. 756. To amend an act entitled an act to secure more effectually, competent and well qualified jurors in the counties of Montgomery, Lowndes, Autauga, Dallas, Perry and Bullock, approved December 19, 1876, as to Bullock and Montgomery counties.

H. B. 773. To authorize an election to prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters in the county of Lee.

Also, the bills—

H. B. 376. To prohibit the sale or other disposition of spirituous, vinous or malt liquors, except in certain cases, in Perryville beat, Perry county.

H. B. 642. To repeal an act to prohibit the sale and giving away of whisky or other intoxicating liquors within six miles of the Baptist church, in the village of McKinley, in Marengo county.

H. B. 667. To repeal an act to prohibit the sale, giving away or otherwise disposing of alcoholic, vinous or malt liquors within three miles of the Baptist church of Garland, in Butler county, Alabama.

H. B. 618½. To provide for the compensation of sheriffs in the 7th judicial circuit, for attendance upon chancery and circuit courts.

H. B. 563. To repeal an act to amend section 1633 of the Code, approved February 13, 1879, as to Blount, St. Clair and Etowah counties.

H. B. 911. To enable the township superintendent of education of township 16, range 17, Montgomery county, and the county superintendent of education of said county to sell the public school property of said school district, located in the city of Montgomery, and to divide and reinvest the proceeds thereof.

H. B. 714. To prescribe the duties of the tax collector of Marshall county, as to appointments, &c., for the collection of taxes.

H. B. 690. To refund to R. H. Little, R. M. Pilgreen and Wm. Mosteller, of Shelby county, certain moneys paid out by them for license to deal in lager beer.

H. B. 691. To make Newton Eddings a citizen of Shelby county.

H. B. 546. To regulate the trial of misdemeanors in the county of Macon.

H. B. 731. To relieve Claudia Shaw of Macon county, from the bonds of matrimony.

H. B. 512. To amend sections 2597, 2598, 2600, 2568, 2569, 2574, 2614, and an act entitled an act to amend section 2575 of the Code of Alabama, approved December 4, 1878.

H. B. 834. To authorize the issue of a bond of class A, in substitution of a bond, numbered 2066, of the issue of bonds under the act, approved December 4, 1832, to establish a branch of the Bank of the State of Alabama, in the city of Mobile.

H. B. 841. To constitute the town of Decatur a separate school district.

H. B. 772. To form a separate school district in the territory east of Shoal creek, in township 2, range 10, west, in the county of Lauderdale.

H. B. 846. To render null and void the relation of husband and wife heretofore existing between Sanders Biggins and Phillis Biggins.

H. B. 383. To amend an act to prohibit the sale of vinous or spirituous liquors within eight miles of the court house at St. Stephens, in Washington county, approved February 22, 1876.

And ordered the same to the Senate, without engrossment.

And has amended, as therein shown, and as amended, has passed the bill—

s. 79. To provide for the better working of the public roads in the county of Jackson.

And has passed without amendment, the bill—

s. 140. To establish and incorporate the Scott Academy at Scottsboro, in Jackson county, Alabama.

The House asks the return of the bill—

H. B. 901. To prohibit the hiring of county convicts outside of or beyond the limits of Dallas county.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The bill—

H. B. 901. To prohibit the hiring of county convicts outside of or beyond the limits of Dallas county;

Was returned to the House in accordance with the foregoing request.

The House bills, the titles of which are set out in the foregoing House message, were severally read a first time and ordered to a second reading.

BILLS ON SECOND READING.

The bills—

s. 403. To amend section 4774 of the Code;

H. B. 66. To prevent the abandonment of contracts for advances secured in consideration of services to be performed;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

H. B. 711. To alter and amend the charter of the city of Huntsville, as established by an act approved March 3rd, 1870, entitled an act to establish a new charter for the city of Huntsville, and an act approved February 17, 1871, entitled an act to amend an act to establish a new charter for the city of Huntsville ;

H. B. 818. To empower the court of county commissioners of Hale county to extend the limits of the Canebrake Agricultural District in said county, or to establish new and separate agricultural districts in said county, upon petition of a majority of land owners in any beat or district to be affected thereby ;

Were severally read a second time and referred to the committee on local legislation.

The bills—

H. B. 309. To amend an act entitled an act to amend an act entitled an act to amend section 5042 of the Code, approved February 13, 1879, approved December 8, 1880.

s. 404. To punish any person who discharges fire arms of any description within 200 yards of any point on the Bay Shell Road in Mobile county;

Were severally read a second time, and referred to the the committee on printing.

The bills—

H. B. 558. To provide for the assessment and collection of taxes for the use of this State and the counties thereof, and to define the duties of officers engaged about the said assessment and collection of taxes;

H. B. 719. To authorize John A. Lile, J. Council Baker, and J. N. Wade, securities of S. M. Smith, tax collector of Morgan county for the years 1875, 1876 and 1877, to collect the unpaid taxes for said years, for the purpose of reimbursing them for moneys paid the State ;

Were severally read a second time and referred to the committee on finance.

The bill—

H. B. 560. To establish a separate school district to be known as "the Gadsden Public School District ;"

Was read a second time and referred to the committee on education.

The bill—

H. B. 428. To limit the amount of spirits prescribed by physicians in Franklin county, State of Alabama ;

Was read a second time and referred to the committee on temperance.

The bill—

H. B. 342. To regulate the discharge of patients from the Alabama Insane Hospital, in certain cases ;

Was read a second time and referred to the committee on internal improvements.

The bill—

s. 405. To authorize the court of county commissioners of Escambia county to issue bonds of said county for an amount not exceeding ten thousand dollars for the purpose of building a court house in said county ;

Was read a second time and referred to the committee on privileges and elections.

UNFINISHED BUSINESS.

The Senate proceeded to consider the bill—

s. 93. To establish a normal school for the education of white male and female teachers at Jacksonville, in Calhoun county ;

Which passed—yeas 17, nays 12.

Yeas—Messrs. Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, McSpadden, Street, Titcomb, Troy, Ware—17.

Nays—Messrs. President, Bowles, Brown, Jackson, Mitchell, Moorman, Norman, Oden, Orr, Rushing, Seay and Shelby—12.

Mr. Brooks of Mobile, from the joint committee on education and finance, reported favorably, with an amendment, the bill—

s. 223. To establish a State normal school for the education of white female teachers and students at Livingston, in Sumter county.

The amendment was adopted, as follows :

Amend by striking out "five thousand" and inserting "twenty-five hundred."

The bill was read a third time and passed—yeas 17, nays 11.

Yeas—Messrs. Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove,

Jones, Luckie, McClellan, McSpadden, Seay, Street, Titcomb Troy, Ware—18.

Nays—Messrs. President, Bowles, Brown, Jackson, Mitchell, Moorman, Norman, Oden, Orr, Rushing, Shelby—11.

Also, favorably, with amendment, the bill—

s. 146. To establish a normal school at Bladon, Springs in Choctaw county.

The amendment was adopted as follows :

Strike out "five thousand" and insert "twenty-five hundred."

Mr. Orr offered an amendment as follows :

Amend by making same appropriations and provisions for a normal school at the county seats of Blount, Cullman, Morgan and Winston counties ;

Which, on motion of Mr. Ware, was tabled—yeas 16, nays 9.

Yeas—Messrs. Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Orr, Shelby, Street, Titcomb, Troy, Ware—16.

Nays—Messrs. President, Bowles, Jackson, Luckie, Mitchell, Moorman, Norman, Orr, Rushing—9.

Mr. Bowles offered an amendment :

Amend by adding after the words "Bladon Springs," the words "and Troy, in Pike county."

Mr. Brown moved to table the bill and pending amendments.

The motion was lost—yeas 7, nays 21.

Yeas—Messrs. Brown, Jackson, Norman, Pate, Rushing, Seay, Shelby—7.

Nays—Messrs. Bowles, Brewer, Brooks of Mobile, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Oden, Orr, Street, Thomas, Titcomb, Troy, Ware—21.

Mr. Oden moved to lay the amendment on the table.

Lost—yeas 13, nays 14.

Yeas—Messrs. Brooks of Mobile, Gardner, Grant, Griffin, Hargrove, Jackson, McClellan, Norman, Oden, Seay, Shelby, Titcomb, Ware—13.

Nays—Messrs. President, Billups, Bowles, Brown, Farnham, Jones, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Thomas, Troy—14.

The amendment was lost—yeas 12, nays 13.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brown,

Jones, Mitchell, Moorman, Orr, Rushing, Thomas, Troy—12.
 Nays—Messrs. Brooks of Mobile, Gardner, Grant, Hargrove, McClellan, McSpadden, Norman, Oden, Seay, Shelby, Street, Titcomb, Ware—13.

Mr. Norman offered an amendment, as follows :

“ *Provided*, That nothing contained in this act shall diminish the school fund to which Bullock county would be entitled had not the appropriation to said Normal school have been made.”

Mr. Mitchell offered an amendment to the amendment: Add after the words “and Russell county” after the words “Bullock county.”

Adopted—yeas 14, nays 12.

Yeas—Messrs. President, Billups, Bowles, Brown, Jackson, Mitchell, Moorman, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby—14.

Nays—Messrs. Brewer, Brooks of Mobile, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, McSpadden, Thomas, Titcomb, Troy, Ware—12.

Mr. Pate moved to recommit the bill and amendments to the committee on education.

Carried.

REPORT OF JOINT COMMITTEE.

Mr. Brewer, from a special joint committee appointed to investigate the accounts, etc., of Isaac H. Vincent, submitted a report,

Which, on motion of Mr. Brooks of Mobile, was laid on the table.

The report is as follows :

REPORT.

To the Honorable the President of the Senate and Speaker of the House of Representatives of the General Assembly :

SIRS—The following joint resolutions passed both houses the 31st of January last :

“ *Resolved by the House (the Senate concurring)*, That a joint committee of three members of the Senate and five of the House be appointed whose duty it shall be forthwith to investigate the condition of the State Treasury, the accounts and vouchers on file therein, and the transactions and conduct of the State Treasurer since he entered into office.

Resolved further, That said committee shall make inquiry as to the existence and validity of the official bond or bonds of the State Treasurer, and the solvency of the sureties thereon, and whether, during any period of his term or terms of office no bond has existed, and why such has been the case.

Resolved further, That said committee shall have authority to sit during the sessions of the General Assembly, and to send for persons and papers.

Resolved further, That the sheriff of Montgomery county is hereby authorized and required to act as Sergeant-at-Arms of said committee, and to execute all process issued by the same.

Resolved further, That said committee shall make full report to the respective Houses of the General Assembly at the earliest time practicable.

Resolved further, That the committee be authorized to employ a clerk."

And the morning of the same day the following special message was received by the General Assembly from his Excellency the Governor :

MONTGOMERY, ALA., January 31, 1883.

To the Senate and House of Representatives :

It becomes my painful and mortifying duty to inform you that Isaac H. Vincent, the Treasurer of the State, is short in his accounts, and has left the city. This fact was made known by Mr. Vincent in the following note to Mr. A. D. Crawford, the clerk in his office, dated the 29th inst., which was received by Mr. Crawford the afternoon of the 30th inst., and communicated to me at 8:30 p. m. of that day :

STATE OF ALABAMA,

TREASURY DEPARTMENT,

Montgomery, January 29, 1883.

DEAR CRAWFORD—I find this evening that my money is not here, neither has it been paid over to the Importers and Traders Bank as promised. I leave for New York to straighten the whole matter. I have perhaps waited too long and will be censured ; but I have no idea of running away. I wish you would assist the committee, and after a balance is ascertained, ask them to wait a day and telegraph

me in care of Fred. Wolfe, New York. If anything happens to me I wish to state positively and emphatically that being behind in my cash is my own fault, and that you have had nothing to do with it.

Your friend,

(Signed)

I. H. VINCENT.

The amount of Mr. Vincent's defalcation can only be ascertained after a careful examination of the Treasurer's books, and a careful count of the money in the Treasury; but a hurried and partial investigation indicates that it is more than two hundred thousand dollars. It is not known by what train and in what direction Mr. Vincent left Montgomery. Means have been adopted to intercept and detain him if possible. It is believed the State is largely secured against ultimate loss. The two houses will have communicated to them from time to time any information that comes into my hand.

Respectfully,

E. A. O'NEAL.

Under the aforesaid joint resolutions the undersigned were appointed as such committee, and for the purposes therein expressed. The evening of the same day your committee began their labors, and have continued them to the present time. Their first step was to put themselves in communication with the Governor, who has given them such assistance and information at all times as he had. The Attorney-General regularly attended the sittings of the committee, and gave valuable assistance. The services of a stenographic clerk were procured, and the sheriff of Montgomery county was in constant attendance on your committee.

The duties assigned by the resolutions may thus be summarized, viz: (1) "To investigate the condition of the State Treasury, and the accounts and vouchers on file therein;" as well as (2) "the transactions and conduct of the State Treasurer since he entered into office;" (3) "to make inquiry as to the existence and validity of the bond or bonds of the State Treasurer, and whether during any period of his term or terms of office no bond has existed, and why such has been the case;" and (4) to make inquiry as to "the solvency of the sureties" on said bonds. These objects of the duties assigned to us have been kept steadily in view by your committee.

1. The investigation of the condition of the State Treasury, and the accounts and vouchers on file therein, had been

entrusted to a joint committee previously raised as required by the statutes, and that committee were found to be at work in the treasury office at the time of the first meeting of your committee. Within a day or two after, that committee reported to the two houses, and showed a deficit of \$212,685.00 at the treasury, but that the books of receipts of the department were correct. Pressed by other parts of the work assigned to them, and confident that no new facts could be developed after the other committee had gone over their special ground, your committee have not embraced in their labors that part of the work they were called on to perform, but are ready to enter on it if the General Assembly see proper to require the same at their hands. Accepting as correct the report of the other joint committee, your committee have applied themselves diligently to the other purposes for which they were organized.

2. "The transactions and conduct of the State Treasurer since he entered into office" were found to be a broad field for investigation, and your committee have given full attention thereto. The testimony of a number of persons was taken, and curious and monstrous developments were made, the general outlines of which have already reached the ears of the General Assembly and the public. The details are contained in the faithfully reported evidence in manuscript, submitted herewith, and not printed because of its bulk, but which will be deposited doubtless with other records of this General Assembly in the hands of the proper officer of the State, but which your committee will seal, and recommend that the same shall be deposited with the Secretary of State, to be hereafter used by the law officers of the State when necessary.

It appears from the testimony of one witness, as well as from others, that at the time Isaac H. Vincent became State Treasurer, that is to say, in November, 1878, he had dwelt for a number of years in Chambers county, and that he owned property valued at from \$2,000 to \$3,000. He had no income from this property that was known, but was mainly and almost wholly dependent on his salary as State Treasurer. Nevertheless Mr. Vincent seems to have entered on a style of living soon after his accession to office which was or appeared to witnesses to be in excess of the very moderate salary he received. One witness, who was frequently with Vincent during the time, deposes that in order to maintain

this style of living, the sum of \$5,000 a year would have been required. Another witness was impressed by the handsome equipage (carriage and horses) Vincent owned. Even as late as Christmas last, when he must have known that he was a defaulter to the amount of over \$200,000, he made a present of diamonds to a member of his family, for which, according to the depositions of two witnesses, he (Vincent) paid \$500. The statement or assumption that he received money from the estate of his wife lulled the suspicions or apprehensions of some of the witnesses; but a witness from Autauga testifies that the amount thus received, and before her marriage, was only \$2,300 to \$2,500.

One witness testifies that Mr. Vincent began to operate as a speculator in cotton "futures" as early as November or December, 1879, or at least that he began to deal at that time with him (witness) who was then acting as the agent of a New York house. This was about a year after Vincent became State Treasurer. These transactions closed in the spring of 1880. They were conducted by Vincent in the name of his wife, A. C. Vincent. Within this brief time this witness says the losses to Vincent were a "little more or a little less" than \$10,000. The margins on these speculations was \$3 a bale, and were paid to the witness by Vincent, who said it was his wife's money. On every one of these operations Vincent lost money, the witness testifies. Another witness deposes that he heard at the time that Vincent had lost \$6,000 or \$8,000 with the foregoing witness.

Early in 1880, Vincent began to deal in "futures" through a well known Montgomery house, and these operations were kept up for about three years, or till the discovery of Vincent's crime caused his flight, at which time he held 6,500 bales on contracts through said house. A better and clearer conception of the extent and magnitude of the transactions of Vincent through this house is shown by the following statement from the books thereof, and which statement is part of the evidence elicited:

I. H. VINCENT, Esq.,

IN ACCOUNT WITH FRED. WOLFFE.

1880		DR.		
March 25	To sight draft.	Travers & Hackmann, \$	1,990 00	
May 27	account sales, 500 bales cotton	....	2,064 00	
July 26	do 500 do	....	1,443 59	
	do 500 do	....	1,133 25	
	do 1,500 do	....	6,390 50	
Aug. 30	do 500 do	....	1,207 28	
31	do 500 do	....	1,835 00	
Oct. 12	do 500 do	....	951 00	
26	do 500 do	....	1,211 00	
Nov. 1	do 1,000 do	....	145 35	
18	do 500 do	....	83 60	
1881.				
Jan. 10	To telegrams	.....	90	
13	exchange margin December 9	.....	7 50	
March 2	account sales 500 bales	.....	2,648 00	
5	do 2,000 do	.....	15,130 89	
19	do 1,500 do	.....	12,238 50	
21	do 1,000 do	.....	9,514 15	
22	do 500 do	.....	4,537 00	
24	do 500 do	.....	2,833 30	
July 22	cash, self	.....	5,000 00	
25	do	.....	5,000 00	
26	account sales 3,000 bales	.....	1,792 50	
Aug. 15	telegrams	.....	1 40	
29	do	.....	9 75	
Sept. 5	account sales 1,000 bales	.....	7,588 00	
10	do 2,500 do	.....	16,772 00	
23	telegrams	.....	27 45	
27	do	.....	1 15	
Oct. 4	do	.....	8 35	
10	do	.....	3 75	
17	do	.....	9 80	
24	do	.....	3 30	
31	do	.....	75	
	account sales 500 bales	.....	75 50	
18	do 2,000 do	.....	5,682 30	
27	do 1,500 do	.....	4,808 52	
	do 2,000 do	.....	3,064 49	

Nov.	21	To telegrams.....	7 75
	28	do	8 20
Dec.	5	do	3 75
	12	do	10 55
	19	do	4 50
	27	do	3 25
	20	account sales 1,000 bales.....	542 50
1882.			
Jan.	3	telegrams.....	1 15
	9	do	2 75
	16	do	1 50
	23	do	2 70
	30	do	8 15
	24	sight draft F. Wolffe.....	5,000 00
Feb.	6	telegrams.....	1 51
	13	do	2 45
	20	do	9 75
	27	do	9 00
		account sales 1,000 bales.....	775 16
March	4	do 1,000 do	3,589 00
	6	telegrams.....	5 55
	13	do	45
	27	do	1 60
	31	account sales 1,500 bales.....	3,531 89
April	3	telegrams.....	3 45
	10	do	1 30
	17	do	3 20
	24	do	1 00
	18	account sales 500 bales.....	1,352 50
May	2	do 400 do	1,089 34
		do 1,100 do	2,574 50
	1	telegrams.....	2 95
	8	do	1 50
	22	do	1 15
	29	do	2 95
June	5	do	1 05
	3	account sales 2,000 bales.....	7,646 00
	5	do 2,000 do	537 20
	24	do 2,500 do	6,880 56
Sept.	1	do 2,000 do	653 84
		do 2,000 do	674 67
	30	do 4,000 do	20,066 40
Oct.	30	do 500 do	3,233 13

Nov.	3	To account sales 1,500 bales	9,672 56
	24	do 1,000 do	1,056 11
		do 1,000 do	594 70
1883.			
Jan.	23	do 3,000 do	17,637 30
	25	sight draft F. Wolfe	49 25
	26	account sales 3,500 bales	9,912 93
		Balance	5,667 73
			<hr/>
			\$218,164 35

1880.		CR.	
Feb.	18	By cash for margins remitted	995 00
March	18	do.	995 00
	29	account sales 1,000 bales	1,137 90
April	1	do. 500 bales	271 12
	14	margins remitted	1,990 00
	15	do.	1,990 00
	17	do.	995 00
	22	account sales 500 bales	405 12
	28	margin remitted	597 00
May	5	do.	398 00
	10	do.	1,990 00
	29	do.	1,990 00
June	8	do.	995 00
	29	do.	995 00
July	22	do.	995 00
Sept.	22	do.	995 00
	23	account sales 500 bales	1,176 15
	25	margin remitted	995 00
	27	do.	995 00
Oct.	5	do.	1,995 00
	11	account sales 500 bales	402 52
	21	do. 500 bales	205 42
Nov.	12	do. 300 bales	158 88
	27	do. 500 bales	916 70
		do. 1,000 bales	1,116 10
		do. 500 bales	869 48
Dec.	2	do. 1,000 bales	636 58
	9	margin remitted	3,000 00
	11	do.	997 50
	24	account sales 500 bales	292 02
	27	do. 1,000 bales	740 66

1881

Jan.	3	By margin remitted.....	1,995 00
	19	account sales 1,000 bales.....	281 02
	21	do. 1,000 bales.....	743 71
	29	margin remitted.....	7,076 91
Feb.	1	do.	2,992 50
	2	do.	9,276 75
	4	do.	1,995 00
	22	do.	5,970 00
March	10	do.	20,000 00
	15	do.	4,975 00
	16	do.	4,975 00
May	10	do.	1,995 00
	12	do.	995 00
	25	account sales 1,000 bales.....	348 19
July	29	margin remitted.....	1,000 00
	18	account sales 2,500 bales.....	4,678 09
Aug.	27	margin remitted.....	4,975 00
Sept.	5	do.	4,975 00
	6	do.	9,950 00
	7	do.	7,960 00
	19	account sales 1,000 bales.....	872 00
	23	do. 1,500 bales.....	1,706 40
Oct.	3	do. 500 bales.....	51 40
	4	do. 4,200 bales.....	11,955 97
	17	do. 1,000 bales.....	906 67
Nov.	26	do. 2,000 bales.....	2,018 23
Dec.	1	do. 2,000 bales.....	4,335 80
	10	do. 500 bales.....	93 21
	12	do. 2,500 bales.....	2,042 11
	27	do. 1,000 bales.....	805 38

1882.

Jan.	3	do. 2,000 bales.....	691 89
	16	do. 400 bales.....	249 44
Feb.	9	margin remitted.....	3,990 00
	14	do.	6,965 00
	15	do.	2,985 00
	22	account sales 3,000 bales.....	5,501 30
April	19	margin remitted.....	4,987 50
May	24	account sales 2,000 bales.....	1,949 59
June	3	do. 2,000 bales.....	2,893 50
	5	do. 4,000 bales.....	3,439 25

July	14	To account sales 5,000 bales	7,558 20
Nov.	3	do. 2,000 bales	2,128 10
	21	do. 5,000 bales	15,662 50

1883.

Jan.	10	margin remitted	4,987 50
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\$218,164 26

Jan.	26.	bal. margins on contracts enclosed.\$	5,667 73
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In reply to the question, Mr. ———, this \$218,000 is what he (Vincent) has paid out in all? his answer was "that \$218,000 on the debit side. That is what he has lost on cotton futures, and what he has drawn back of the margins he has deposited." And to the further question, "from this statement what amount does it appear Vincent paid out on cotton transactions with ——— as cotton margins?" the witness answered, "According to that statement he deposited \$139,376.91." Of this amount the witness says the statement shows he (Vincent) drew back \$17,039.25, which, with the \$5,667.73 on hand, shows a net loss, says the witness, of \$116,669.93. Two other witnesses corroborate this testimony, so far as their knowledge of them extends.

It will be observed that the account is made directly in the name of Vincent, nor do either of these witnesses say that he even pretended that the transactions were in the name of another. One of these witnesses stated that all the cotton "future" transactions were kept by his house at Montgomery, and that the orders for buying and selling were given here by Vincent in person. "Whenever," says this person, "the losses swept away the margins or credits, the call on Vincent for more margins would be readily and promptly responded to. Cash was usually paid in for this purpose. Notification to Vincent was usually conveyed to him in person, says one witness, but another deposes that it was usually done through the telephone.

Another witness, who receives orders for the purchase and sale of "future" contracts in cotton, testifies to a series of operations with him by Vincent. These began the 5th of January, 1881, and only a partial statement of them is furnished by the witness, which is as follows:

A partial statement of transactions in cotton futures be-

tween I. H. Vincent, esq., and Messrs. Mohr, Hannemann & Co., through W. S. Reese :

1881		Cr.	
Jan.	5	By margin remitted New York on Liverpool speculations.....	\$ 1,000 00
	15	margin remitted New York on New York speculations.....	995 00
	22	margin remitted New York on New York speculations.....	471 41
Aug.	18	margin remitted New York on New York speculations.....	400 00
	29	margin remitted New York on New York speculations.....	198 07
Oct.	14	margin remitted New York on New York speculations.....	2,000 00
1882			
Sept.	30	amount transferred from N. Orleans to New York ..	1,891 19
	30	profit on 1,000 bales in New York..	549 50
	6	profit on 1,000 bales in New York..	1,361 48
	23	profit on 1,000 bales in New York..	414 68
	30	profit on 1,000 bales in New York..	638 10
	30	profit on 1,000 bales in New York..	536 94
Nov.	7	profit on 500 bales in New Orleans	187 75
	10	profit on 500 bales in New Orleans	230 26
	16	profit on 1,000 bales in New York..	192 73
	16	profit on 1,000 bales in New York..	306 79
	22	profit on 1,090 bales in New Orleans	540 18
Dec.	29	profit on 500 bales in New Orleans	80 77
	29	profit on 500 bales in New Orleans	203 38
	28	profit on 2,000 bales in New York..	301 16
Total.....			\$12,519 39

1882		Dr.	
Jan.	9	To amount of W. S. Reese's draft on New York.....	\$ 2,788 93
Sept.	5	loss on 1,000 bales in New York....	693 15
	14	loss on 1,000 bales in New York....	1,746 83
Nov.	13	amount of W. S. Reese's draft on New Orleans.....	418 01
	30	amount of W. S. Reese's draft on New Orleans.....	540 18

1883

Jan. 9 To amount of W. S. Reese's draft on New
York to close account..... 5,482 25

Total.....\$11,669 35

N. B.—The above statement being incomplete, will not balance.

Montgomery, Ala., February 2d, 1883.

This witness was the agent of a firm that has a house in New Orleans. With this firm Vincent appears often to have dealt directly, at least so far as to transmit to them money, and even the dealings with the said witness would be shown more largely and fully by their books. Said one of the committee to this witness, referring to the above statement, "I notice that this is only about \$12,000." "Yes," the witness replied, "that is a very small matter compared to other transactions which he has had, and of which I have no record. You see I was in New Orleans myself, and kept no books, but trusted to the house I represent to keep them." "Does this statement show the amount of money he paid to you?" "Yes." "Was that all the money you received?" "Only while I was here in Montgomery." The testimony of another witness corroborates the last on this point, as it appears that Vincent transmitted to New Orleans, in the months of January, February and March, 1882, the sum of \$32,700 to the witness whose statement is inserted above, and to the firm there that he represents here. On all these transactions Vincent's gains were \$3,000 or \$4,000, and the sums he put in were wholly lost with that exception, though for some reason not clear he was paid back or drew out in all between \$5,000 and \$6,000 in January last.

Another witness deposes that during the past year, and up to the time of Vincent's flight, the two had several operations in corn, pork, and cotton "futures." They dealt through two or three houses or persons in Montgomery. This witness says these operations were generally profitable, and that Vincent's share of the profits must have been about \$1,500. The margins were oftener put up by Vincent than by witness. "When this trouble about Polk in Tennessee came out," deposes this witness, "Vincent came to me, and told me he wanted to quit everything. We had his transactions in corn on hand, and he told me to turn that over to

his wife, and that I would just consider his wife as my partner in his case, and account to her. I afterwards had occasion to go to the capitol, and met Vincent in the rotunda. In the course of a conversation he told me that in case anything should happen to me it would be well for his wife to have some statement in writing showing that I had moneys of hers on hand. * * I agreed to this, and wrote to Mrs. Vincent through the post office." This witness further showed that there was about \$1,000 of the margins put up by Vincent in the hands of one firm, and about \$2,266.65 in the hands of another person, and that he (witness) had control of these margins and of the open contracts for which they are the stake. The two persons with whom witness and Vincent dealt corroborate the last above statements so far as the dealings with them are referred to. One of them deposes that he kept the accounts with the said witness and Vincent in their joint names, and the other dealer says Vincent did not deal with him directly but he knew Vincent was interested in certain contracts the said witness had.

Another witness, prominent as a cotton buyer in Montgomery, has had no transactions with Vincent, but has known for some time that he was operating largely in "futures" through the New Orleans firm mentioned.

Depositions of several bankers, cashiers of banks, &c., in Montgomery, Mobile, and Selma, were taken, and from one of them at least very important testimony was elicited, concerning a large sum of exchange paid for by Vincent, and drawn to his order as State Treasurer, but applied to his private account with a firm with whom he was operating in "futures." The facts of this transaction were fully made known to your committee, and to the State's legal adviser.

In regard to the bonds of the late treasurer, the facts are: Upon his entering into office the first time he executed a bond with M. E. Pratt, Daniel Crawford, J. J. Robinson, H. F. DeBardelaben, and J. D. F. Jackson, as sureties.

This bond is now on file in the office of the Auditor. We find that a short time previous to Mr. Vincent's departure, he borrowed from the office of the Secretary of State the book in which his first and second bonds were recorded, pretending that he wished to make a copy of the old bond, to be signed as his new one. This book was never returned, and cannot now be found. We find also that the original second bond has been abstracted from the Auditor's office, how or when the Auditor is not able to tell.

We have taken testimony, however, which establishes the fact that he executed a second bond, which was approved by Governor Cobb on the 19th day of January, 1881, and said bond was, in fact, duly recorded in the office of the Secretary of State.

The testimony shows that M. E. Pratt, J. J. Robinson, Daniel Crawford and J. M. Driver were sureties on this bond. Several witnesses also testified that, according to the best of their recollection and belief, the name of F. A. Trammel was also on this bond, but Mr. Trammel himself testified that he had no recollection of signing it.

Under the operation of the act approved February 10, 1881, it was thought that it was not necessary for the Treasurer to file his bond until the 23th December, 1882. About this time, the Governor was informed by the Secretary of State that Mr. Vincent had not filed his bond. The Governor immediately demanded of Vincent to file his bond at once. Vincent claimed to think that as his last bond was approved January 19th, it was not necessary for him to file one before that date, but under the orders of the Governor, had a new bond drawn up and signed, and presented the same to the Governor. The Governor refused to approve it, on the ground that the sureties were not sufficient.

After some delay, Vincent presented a second bond, which the Governor refused to approve, for the same reason. The witnesses were not able to state the exact dates when these bonds were presented, but Vincent continued to promise to get sufficient sureties, and the day before he left, he was notified by the Governor that the matter could not be delayed any longer, but that unless the bond was filed at once, the office must be closed.

Your committee beg leave to state that according to the terms of our statute the old bond was binding upon the sureties until the Treasurer should qualify for the new term of his office.

Your committee have taken testimony as to the financial condition of the sureties on the said bond, which is on file with the other testimony in this matter, and in view of the depressed condition of affairs in our State, and the difficulty of realizing from forced sales of property, your committee recommend that the Governor, with the advice and approval of the Attorney-General, be authorized to make a settlement with the sureties of the late Treasurer, on such terms as

they may find to be best for the interests of the State of Alabama.

There is other testimony of persons, to which your committee prefer not to allude, because of the legal controversies which are likely to arise out of the numerous transactions of Mr. Vincent. A desire to promote the State's interest in these is the reason why the names of persons are excluded from this report; but their testimony is on file, in the most accurate possible form, for the use of the State.

The result of your committee's labors will result in the perpetuation of testimony that might have been lost, as well as the eliciting of such as will be of pecuniary profit and advantage to the State. Attachment and garnishment suits were begun straightway by the Attorney-General, on the development of certain evidence before your committee. Bills have also been offered in one house or the other of the General Assembly, based on the facts revealed by this investigation, and which we trust will find favorable consideration. But for the lateness of the time at this session, other measures might have been devised to shield the State from like calamity in future.

Respectfully submitted, this 13th February, 1883.

W. BREWER, Chairman.

S. K. McSPADDEN,

T. N. McCLELLAN,

Of the Senate.

R. T. SIMPSON, Chairman.

S. W. JOHN.

WM. B. GERE,

Of the House.

REPORTS FROM STANDING COMMITTEES.

By leave, Mr. Hargrove, from the judiciary committee, reported favorably, with amendments, the bill—

s. 365. To authorize the Governor, the State Auditor and the State Treasurer of this State to settle the claims of this State against Isaac H. Vincent, late State Treasurer, and his sureties on his several bonds, and any other person, firm or corporation liable to the State for money of the State obtained from said Vincent, or property obtained with money so used with any of said parties.

The amendments were adopted, as follows :

Amend by striking out the words "State Treasurer" where they occur in caption and bill.

Amend by inserting after the word "Governor," in second line from end of the bill, the words, "State Auditor and Secretary of State."

Mr. Brooks of Mobile, moved to postpone the bill and make it a special order for to-morrow at 12 o'clock.

Lost.

Mr. Brooks of Mobile, offered an amendment, as follows :

"Sec. 3. *Be it further enacted*, That the meaning and intent of this act is that the compromise herein provided for shall not extend to the abatement or reduction of the amounts found due to the State, without interest, if they think necessary."

Adopted—yeas 19, nays 13.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Jones, Luckie, Mitchell, McSpadden, Orr, Pate, Seay, Street, Titcomb, Ware—19.

Nays—Messrs. President, Brewer, Farnham, Hargrove, Jackson, McClellan, Moorman, Norman, Oden, Rushing, Shelby, Thomas, Troy—13.

The bill was read a third time, and

On motion of Mr. Gardner, recommitted to a special committee, consisting of Messrs. Brooks of Mobile, Jones and Seay, with instructions to report to-morrow immediately after reading the journal ;

And the bill was made a special order for that hour, and from day to day thereafter until disposed of.

RESOLUTION.

By leave, Mr. Gardner offered a resolution, as follows :

Be it resolved by the Senate, That the Governor be respectfully requested to inform the Senate, at the earliest practicable date, if there is any State officer now without a bond filed as the law requires, and if such should be the case, that he will inform the Senate of the case or cases ;

Which, on motion of Mr. Seay, was referred to a special committee, consisting of Messrs. Troy, Gardner and Brooks of Mobile.

REPORT OF COMMITTEE.

By leave, Mr. Brooks of Mobile, from the finance committee, reported favorably, the bill—

s. 388. To make an appropriation to pay the expenses of the joint committee to investigate the accounts, conduct, bond, etc., of I. H. Vincent, late Treasurer of Alabama.

Mr. McClellan moved to amend by inserting after the words "witnesses," the words "who reside outside the city of Montgomery."

Adopted.

Mr. Farnham offered an amendment, which was adopted, as follows :

Provided, That the compensation herein provided for shall be for the sheriff the same fees as are now allowed him by law for similar services, and for witnesses the same amount now allowed by law for witnesses attending the circuit court, and to the clerk not exceeding 20 cents a hundred words.

The bill was read a third time and passed—yeas 25, nays 4.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Street, Thomas, Titcomb—25.

Nays—Messrs. Billups, Jackson, Shelby, Troy—4.

RECESS.

At 2:05 p. m., the Senate took a recess till 4 p. m.

AFTERNOON SESSION.

The Senate re-assembled at 4 p. m.

REPORTS FROM STANDING COMMITTEES.

Mr. McClellan, from the committee on municipal and county organizations, reported favorably the bill—

H. B. 268. To incorporate the Fowl River Improvement and Canal Company ;

Which was read a third time and passed—yeas 17, nays 2.

Yeas—Messrs. President, Billups, Bowles, Brown, David-

son, Hargrove, Luckie, McClellan, Mitchell, McSpadden, Oden, Orr, Pate, Shelby, Street, Titcomb, Ware—17.

Messrs. Farnham and Norman voted no.

Also, favorably, the bill—

H. B. 345. To transfer the jury funds to the special funds of Washington county;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brown, Davidson, Farnham, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Shelby, Street, Titcomb, Ware—23.

Also, favorably, the bill—

H. B. 717. To incorporate the Bienville Water Supply Company;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. Billups, Bowles, Brewer, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Street, Titcomb—20.

Also, favorably, the bill—

H. B. 788. To carry into effect any plan, or scheme for the compromise, adjustment and settlement of the existing indebtedness of the late corporation known as the City of Selma, which may be agreed upon between the creditors of said city of Selma and the commissioners of the city of Selma, appointed under and by virtue of an act to vacate and annul the charter and dissolve the corporation of the City of Selma, and to provide for the application of the assets thereof to the payment of the debts thereof, approved December 11, 1882;

Which was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Street, Titcomb, Troy—21.

Mr. Farnham, from the committee on industrial resources, reported favorably the bill—

H. B. 174. To allow the qualified voters of Escambia county to locate the county site by ballot;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, Mc-

Spadden, Norman, Orr, Pate, Rushing, Street, Titcomb, Ware—23.

Also, favorably, the bill—

H. B. 666. For the relief of J. B. Simpson, A. Lehman, Jas. McFerrin, Caswell Ellington, Job Thigpen and A. M. Crum, as sureties on the official bond of Joseph M. Thigpen, as late county superintendent of education of Butler county, Alabama, and to relieve said named parties from the payment of a portion of the judgment for the sum of four thousand eight hundred and thirty and 80-100 dollars rendered on said bond by the circuit court of Butler county, Alabama, at the fall term, 1881 ;

Which was read a third time and lost—yeas 12, nays 12.

Yeas—Messrs. Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham, McClellan, Moorman, McSpadden, Norman, Rushing, Titcomb, Ware—12.

Nays—Messrs. Billups, Davidson, Gardner, Hargrove, Jones, Oden, Orr, Pate, Seay, Shelby, Street, Troy—12.

Also, favorably, the bill—

H. B. 535. To amend an act to regulate the drawing and empanneling of grand and petit juries in Dallas county, approved December 12th, 1882 ;

Which was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. Bowles, Brooks of Macon, Brown, Davidson, Farnham, Gardner, Grant, Jones, Luckie, Mitchell, Moorman, McSpadden, Oden, Orr, Pate, Rushing, Seay, Street, Titcomb, Troy, Ware—21.

Also, favorably, the bill—

H. B. 442. To protect fish in the State of Alabama ;

Which was read a third time and passed—yeas 22, nays 2.

Yeas—Messrs. Bowles, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Street, Titcomb—22.

Messrs. Davidson and Shelby voted no.

Also, favorably, the bill—

H. B. 596. To regulate the mode of selecting, drawing and empanneling grand and petit jurors for the county of Mobile ;

Which was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, Norman, Orr, Pate, Rushing, Seay, Street, Titcomb, Troy, Ware—24.

By leave, Mr. Troy, from the judiciary committee, returned the bill—

s. 380. To repeal an act to regulate the publication of legal notices in the county of Crenshaw, approved December 11th, 1873;

Which was recommitted to the committee on printing.

SPECIAL ORDER.

On motion of Mr. Seay, the bill—

s. 288. To authorize and empower Mrs. E. C. Davis (widow of J. J. Davis, deceased,) to sell lands belonging to said estate at private sale;

Was taken up, read a third time and passed—yeas 22, nays 3.

Yeas—Messrs. Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Jones, Luckie, McClellan, Moorman, Norman, Orr, Pate, Rushing, Street, Titcomb, Ware—22.

Messrs. Hargrove, Shelby and Troy voted no—3.

INTRODUCTION OF BILLS.

By leave, bills were introduced :

By Mr. Harrison, (Mr. Brooks of Mobile, presiding)—

s. 410. To avoid an election for members of the courts of county commissioners of the several counties of this State during the year 1883, and to extend the term of office of the members of said courts of county commissioners.

By Mr. Griffin—

s. 411. To relieve M. Victorie Sanders, of Hale county, from the disabilities of non-age.

By Mr. Rushing—

s. 412. To authorize Susan A. Beall, widow of Samuel P. Beall, deceased, of Coffee county, to sell and convey by deed, all of the real estate belonging to the estate of the said deceased, and report the sales thereof to the circuit clerk or register in chancery, and to be affirmed by him before the sales shall be lawful.

By Mr. Hargrove—

s. 413. To amend an act to amend section 4203 of the Code, approved March 1, 1881.

By Mr. Thomas—

s. 414. To increase the pay of the sheriff of Barbour county for extra official services performed by him ;

Which were severally read a first time and ordered to a second reading.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

February 15, 1883.

Mr. President :

The House has amended by way of substitute, and as amended, has passed the bill—

s. 77. To provide for the collection of State taxes in counties having no qualified collectors and to regulate the finances of such counties ;

And has adopted a joint resolution—

H. B. 930. Relative to the final adjournment of the General Assembly ;

Committee on part of House :

Messrs. Simpson, Hamilton and Garrett ;

Also, has originated and passed the bills—

H. B. 656. To incorporate a company for the production and manufacture of iron and steel, to be entitled the Alamet Iron Company ;

H. B. 699. To prevent the sale or giving away of vinous, spirituous, or malt liquors, or other intoxicating beverages, in the county of Choctaw, except by regularly licensed physicians, and to provide penalties for the violation thereof ;

H. B. 512. To amend sections 2597, 2598, 2600, 2568, 2569, 2574, 2614, and an act entitled an act to amend section 2575 of the Code of Alabama, approved December 14th, 1878.

H. B. 620. To amend an act to amend section 5025 of the Code, so far as the same relates to the county of Blount ;

And ordered the same to the Senate without engrossment ;

And has amended, as therein shown, and as amended, has passed the bill—

s. 124. To amend an act to revive and complete the geological and agricultural survey of the State of Alabama.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The Senate concurred in the House amendment by way of substitute to the bill—

s. 77. To provide for the collection of State taxes in counties having no qualified tax collectors, and to regulate the finances of such counties—yeas 20, nays 2.

Yeas—Messrs. President, Billups, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Grant, Griffin, McClellan, Mitchell, Moorman, Norman, Orr, Pate, Rushing, Street, Thomas, Titcomb, Troy, Ware—20.

Messrs. Farnham and McSpadden voted no.

Also, concurred in the House amendment to the bill—

s. 124. To amend an act to revive and complete the geological and agricultural survey of the State of Alabama.

Yeas 21, nays 3.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Grant, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Shelby, Street, Thomas, Titcomb, Ware—21.

Messrs. Farnham, Orr and Pate voted nay.

The House joint resolution, (H. B. 930), set out in the foregoing House message, was concurred in.

The President appointed as committee on part of the Senate, Messrs. Bowles and Brown.

The House bills, numbers 512, 620, 656, and 699, the titles of which are set out in the foregoing House message, were severally read a first time and ordered to a second reading.

REPORTS OF COMMITTEES.

By leave, Mr. Brooks of Mobile, from committee on finance, returned the bill—

s. 400. To authorize and empower the court of county commissioners of Lee and Pickens counties to settle the bonded indebtedness of said counties, issued for or on account of stock subscribed to railroad companies;

Which was recommitted to the special joint committee on the debt stricken counties.

By leave, Mr. Jones, from the judiciary committee, reported a substitute for the bill—

s. 253. To authorize and empower the Governor to ap-

point inspectors of coal oil, gasoline, carbon oil, or any other product of petroleum used for illuminating fluids.

On motion of Mr. Shelby, the substitute was amended as follows :

Strike out last clause in section seven and insert in lieu thereof, "said fine to go to the public school fund in the county where such misdemeanors may have been committed."

The substitute was adopted, with caption as follows :

s. 253. To provide for the better security of life and property from the dangers of refined petroleum.

The bill was read a third time and passed—yeas 25, nays 3.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, McClellan, Moorman, McSpadden, Norman, Rushing, Shelby, Street, Thomas, Titcomb, Troy, Ware—25.

Messrs. Billups, Orr and Pate voted no.

Mr. Farnham, from the committee on industrial resources, reported favorably the bill—

H. B. 97. To prevent the change or the mutilation of marks, brands, or numbers on cotton by warehousemen or others ;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, Mitchell, McSpadden, Norman, Orr, Pate, Rushing, Seay, Street, Thomas, Titcomb, Troy—23.

By leave, Mr. Hargrove, from the judiciary committee, reported favorably to the bill—

s. 121. To provide for the payment of the costs in State cases of the clerk and sheriff of Barbour county, where the State fails to convict ;

Which was read a third time and passed—yeas 23, nays 1.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jackson, Jones, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Street, Thomas, Titcomb—23.

Mr. Troy voted no.

By leave, Mr. Hargrove, from the judiciary committee, reported favorably the bill—

s. 118. To provide for the payment of costs of justices of the peace, notaries public, constables, and witnesses in cases wherein the State fails to convict in the county of Barbour in courts of justice of the peace and notaries public ;

Which was read a third time and passed—yeas 21, nays 1.
Yeas—Messrs. President, Billups, Brewer, Brooks, of Macon, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Street, Thomas, Titcomb, Ware—21.

Mr. Troy voted no.

By leave, Mr. Billups, from the temperance committee, reported a substitute for the bill—

s. 271. To prohibit the manufacture and sale of spirituous, vinous, or malt liquors or intoxicating bitters within three miles of the following Methodist Episcopal churches in Pickens county: Hannah church, Hargrove church, Arbor Springs church and Evergreen church, in said county.

The substitute was adopted, with caption as follows:

s. 271. To prohibit the manufacture, sale, or otherwise disposing of spirituous, vinous, or malt liquors or intoxicating bitters within three miles of the following churches in Pickens county, to-wit: Unity Baptist church, Hargrove Methodist church, Arbor Springs Methodist church, Hannah Methodist church, and Evergreen Methodist church.

The bill was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Street, Thomas, Titcomb, Troy, Ware—23.

PRIVILEGED QUESTION.

Mr. Gardner arose to a question of privilege, and moved to reconsider the vote by which the bill—

H. B. 666. For the relief of J. B. Simpson, A. Lehman, Jas. McFerrin, Caswell Ellington, Job Thigpen and A. M. Crum, as sureties on the official bond of J. M. Thigpen, county superintendent of education of Butler county,

Was lost, and moved that the motion be postponed and made a special order for to-morrow at 12 o'clock.

Carried.

The Senate resumed consideration of

REPORTS OF COMMITTEES.

By leave, Mr. Billups, from same committee, reported favorably the bill—

s. 157. To repeal all laws prohibiting the sale or giving away of spirituous, vinous, or malt liquors, or intoxicating biters in Marion beat, Perry county, State of Alabama ;

Which was read a third time and passed—yeas 24, nays 1.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, Norman, Pate, Rushing, Seay, Shelby, Street, Thomas, Titcomb, Troy, Ware—24.

Mr. Orr voted no.

By leave, Mr. Rushing, from committee on printing, reported favorably the bill—

s. 380. To repeal an act to regulate the publication of legal notices in the county of Crenshaw, approved December 11, 1873 ;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Farnham, Gardner, Grant, Griffin, Jones, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Street, Thomas, Titcomb, Troy, Ware—23.

By leave, Mr. Troy, from a special committee, reported favorably the bill—

s. 400. To authorize and empower the court of county commissioners of Lee and Pickens counties to settle the bonded indebtedness of said counties, issued for, or on account of stock subscribed to railroad companies ;

Which was read a third time and passed—yeas 22, nays 1.

Yeas—Messrs. President, Billups, Davidson, Gardner, Grant, Hargrove, Jackson, Jones, Luckie, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Street, Thomas, Titcomb, Troy—22.

Mr. Seay voted no.

By leave, Mr. Mitchell, from the committee on the revision of laws, reported favorably the bill—

s. 360. To regulate the times of holding the circuit courts of Talladega and Clay counties, on the 7th judicial circuit ;

Which was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brown, Davidson, Farnham, Gardner, Hargrove, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Seay, Shelby, Street, Thomas, Titcomb, Troy, Ware—22.

Mr. Norman, from the committee on privileges and elections, reported adversely to the bill—

s. 2. To repeal an act to amend section 274 of the Code.
The bill was read a third time and the adverse report concurred in—yeas 19, nays 6.

Yeas—Messrs. Billups, Bowles, Brewer, Davidson, Gardner, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Seay, Street, Thomas, Troy, Ware—19.

Nays—Messrs. President, Farnham, Grant, Jackson, Shelby, Titcomb—6.

Mr. Norman, from same committee, reported adversely the bill—

s. 3. To amend an act to amend section 276 of the Code.
The bill was read a third time,

And the adverse report was concurred in—yeas 17, nays 9.

Yeas—Messrs. Billups, Brewer, Davidson, Gardner, Hargrove, Jones, Mitchell, Moorman, Norman, Orr, Pate, Rushing, Seay, Street, Thomas, Troy, Ware—17.

Nays—Messrs. President, Brooks of Macon, Brown, Farnham, Griffin, Jackson, McSpadden, Shelby, Titcomb—9.

Also, adversely, the bill—

s. 4. To enable electors to identify their ballots.

The bill was read a third time,

And the adverse report was concurred in—yeas 26, nays 2.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Street, Thomas, Titcomb, Troy, Ware—26.

Messrs. Shelby and Jackson voted no—2.

All Senate bills passed to-day were ordered to the House forthwith, without engrossment.

ADJOURNMENT.

On motion of Mr. Pate, at 7 o'clock p. m., the Senate adjourned—yeas 14, nays 13.

Yeas—Messrs. Bowles, Brewer, Brooks of Macon, Brown, Farnham, Griffin, Jackson, Mitchell, McSpadden, Norman, Pate, Rushing, Thomas, Titcomb—14.

Nays—Messrs. President, Billups, Davidson, Gardner, Grant, Hargrove, Jones, Moorman, Orr, Seay, Shelby, Street, Troy—13.

FORTY-FIFTH DAY.

FRIDAY, February 16, 1883.

The Senate met pursuant to adjournment.

Present—Messrs. President, Billups, Bowles, Brooks of Macon, Brown, Farnham, Gardner, Grant, Griffin, Jackson, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Street, Titcomb, Ware—23.

On motion of Mr. Orr, the reading of the journal was dispensed with.

CALL OF THE DISTRICTS.

Bills were introduced :

By Mr. Pate—

s. 415. To make the fund arising from the hire of convicts in Chambers county, part of the fine and forfeiture fund.

By Mr. McSpadden—

s. 416. To fix the rate of taxation in the State of Alabama ;

Which were severally read a first time and ordered to a second reading.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 16, 1883.

Mr. President :

The House has concurred in the Senate amendment to the bill—

H. B. 701. To amend an act to incorporate the Southern University at Greensboro, in the county of Greene, and for other purposes, passed January 25, 1856.

And has amended, as therein shown, and as amended, has passed the bill—

s. 97. To regulate the publication of legal notices in the counties of Coffee and Geneva.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The Senate refused to concur in the House amendment to the bill—

s. 97. To regulate the publication of legal notices in the counties of Coffee and Geneva.

The Senate concurred in the House amendments to the bill—

s. 309. To incorporate the district of Opelika, and to provide for the government thereof.

Yeas 19, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Mobile, Brown, Gardner, Griffin, Hargrove, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Street, Titcomb, Ware—19.

ENROLLED BILLS.

Mr. Orr, from the committee on enrolled bills, reported the following bills correctly enrolled :

s. 79. To provide for the better working of the public roads in Jackson county.

s. 140. To establish and incorporate the Scott Academy, at Scottsboro, in Jackson county, Alabama.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 16, 1883.

Mr. President :

The Speaker of the House having signed the following bills, your signature thereto is requested, viz :

H. B. 345. To transfer the jury funds to the special funds of Washington county.

H. B. 161. To regulate the fine and forfeiture fund of St. Clair county.

H. B. 333. To amend an act to establish a normal school for colored teachers at Tuskegee, approved February 10, 1881.

H. B. 346. To incorporate the society of Alumnae of the Judson Female Institute, located at Marion, Perry county ;

H. B. 116. To make an additional appropriation to the public schools.

H. B. 578. To amend an act to establish a new charter for the city of Birmingham, approved March 1, 1881.

H. B. 701. To amend an act to incorporate the Southern University, at Greensboro, in the county of Greene, and for other purposes, passed January 25, 1856.

D. W. McIVER, Clerk.

SIGNING BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing House message and report of the enrolling committee.

BILLS ON SECOND READING.

The bills—

s. 411. To relieve M. Victoire Saunders, of Hale county, from the disabilities of non-age;

s. 413. To amend an act to amend section 4203 of the Code, approved March 1, 1881;

s. 410. To avoid an election for members of the courts of county commissioners of the several counties of this State during the year 1883, and to extend the term of office of the members of said courts of county commissioners;

H. B. 512. To amend sections 2597, 2598, 2600, 2568, 2569, 2574, 2614, and an act entitled an act to amend section 2575 of the Code of Alabama, approved December 4, 1878;

H. B. 756. To amend an act entitled an act to secure more effectually, competent and well qualified jurors in the counties of Montgomery, Lowndes, Autauga, Dallas, Perry and Bullock, approved December 19, 1876, as to Bullock and Montgomery counties;

Were severally read a second time and referred to the judiciary committee.

The bill—

H. B. 656. To incorporate a company for the production and manufacture of iron and steel, to be entitled the Alamet Iron Company;

Was read a second time and referred to the committee on internal improvements.

The bill—

H. B. 584. To prevent fence breaking animals from running at large;

Was read a second time and referred to the committee on industrial resources.

The bills—

H. B. 699. To prevent the sale or giving away of vinous, spirituous or malt liquors or other insoxicating beverages, in the county of Choctaw, except by regularly licensed physicians, and to provide penalties for the violation thereof;

H. B. 773. To authorize an election to prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters in the county of Lee;

Were severally read a second time and referred to the committee on temperance.

The bill—

s. 412. To authorize Susan A. Beall, widow of Samuel P. Beall, deceased, of Coffee county, to sell and convey by deed, all of the real estate belonging to the estate of the said deceased, and report the sales thereof to the circuit clerk or register in chancery, and to be affirmed by him before the sales shall be lawful;

Was read a second time and referred to the committee on printing.

The bills—

H. B. 546. To regulate the trial of misdemeanors in the county of Macon;

H. B. 620. To amend an act to amend section 5025 of the Code, so far as the same relates to the county of Blount;

H. B. 278. To amend an act entitled an act to amend section 3496 of the Code, approved December 7, 1878;

Were severally read a second time and referred to the committee on revision of laws.

The bills—

s. 414. To increase the pay of the sheriff of Barbour county for extra official services performed by him;

H. B. 392. To prevent stock, in a certain event, from running at large in Chambers county, and to provide for the enforcement of the same;

Were severally read a second time and referred to the committee on local legislation.

The bills—

H. B. 831. To relieve Claudia Shaw of Macon county from the bonds of matrimony;

H. B. 846. To render null and void the relation of husband and wife heretofore existing between Sanders Biggins and Phyllis Biggins;

Were severally read a second time and referred to the committee on the judiciary.

The bills—

H. B. 563. To repeal an act to amend section 1633 of the Code of Alabama, approved February 13th, 1879, as to Blount, St. Clair and Etowah counties ;

H. B. 714. To prescribe the duties of the tax collector of Marshall county, as to appointments, &c., for the collection of taxes ;

H. B. 834. To authorize the issue of a bond of class A, in substitution of a bond numbered 2066, of the issue of bonds under the act, approved December 4, 1832, to establish a branch of the Bank of the State of Alabama, in the city of Mobile ;

Were severally read a second time and referred to the committee on finance.

The bills—

H. B. 376. To prohibit the sale, giving away or other disposition of spirituous, vinous or malt liquors, except in certain cases, in Perryville beat, Perry county ;

H. B. 690. To refund to R. H. Little, R. M. Pilgreen and Wm. Mosteller, of Shelby county, Ala., certain moneys paid out by them for license to deal in lager beer ;

H. B. 667. To repeal an act to prohibit the sale, giving away or otherwise disposing of alcoholic, vinous or other malt liquors within three miles of the Baptist church of Garland, in Butler county, Alabama ;

H. B. 383. To amend an act to prohibit the sale of vinous or spirituous liquors within eight miles of the court house at St. Stephens, in Washington county, approved February 22, 1876 ;

H. B. 642. To repeal an act to prohibit the sale and giving away of whisky or other intoxicating liquors within six miles of the Baptist church, in the village of McKinley, in Marengo county ;

Were severally read a second time and referred to the committee on temperance.

The bill—

H. B. 691. To make Newton Eddings a citizen of Shelby county, Alabama ;

Was read a second time and referred to the committee on internal improvements.

The bill—

H. B. 911. To enable the township superintendent of education of township 16, range 17, Montgomery county, and the county superintendent of education of said county to sell the public school property of said school district, located in the city of Montgomery, and to divide and reinvest the proceeds thereof ;

Was read a second time and referred to the special committee on the debt stricken counties.

The bills—

H. B. 772. To form a separate school district in the territory east of Shoal creek, in township 2, range 10, west, in the county of Lauderdale ;

H. B. 841. To constitute the town of Decatur a separate school district ;

Were severally read a second time and referred to the committee on education.

The bill—

H. B. 618½. To provide for the compensation of sheriffs in the 7th judicial circuit, for attendance upon chancery and circuit courts ;

Was read a second time and referred to the committee on revision of laws.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
Montgomery, February 16, 1883.

Mr. President :

The Governor has approved the following bills, which originated in the Senate :

s. 127. To amend an act to incorporate the Chewacla Lime Company, approved December 9, 1862, and to change the name thereof from "Chewacla Lime Company" to the "Chewacla Lime Works."

s. 187. To remove the estate of Mary A. Harrell, deceased, from Butler county to Lowndes county.

s. 298. To amend sections 3 and 4 of an act to authorize the commissioners court, or court or board of county revenues of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry, to establish or abolish districts in which stock may be prevented from running at large, approved

February 28th, 1881, so far as the same relates to Russell county.

W. G. HUTCHESON,
Recording Secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 16, 1883.

Mr. President :

The House has originated and passed the bills—

H. B. 570. To revive, renew and amend the charter of the Cahawba River Bridge Company, granted February 29th, 1848, and the amendments thereto ;

H. B. 859. To amend sub-division one (1), of section 13, of article 3, of the act to organize and regulate a system of public instruction for the State of Alabama ;

H. B. 569. To make it unlawful for notaries public or justices of the peace to sit in judgment, or try any civil cause in which such officer is the employee of either plaintiff or defendant in the cause to be tried ;

H. B. 904. To revive and continue in force the charter of the Chickasaw, Birmingham and Tuscaloosa railroad, mining and manufacturing company ; a company chartered under the general law, and empowered to mine and manufacture ; and also, to fix the rate of passenger transportation by an act, approved March 6th, 1875 ;

H. B. 355. To amend an act to amend an act to amend section 1817 of the Code, approved February 11, 1881 ;

H. B. 915. To make an appropriation for the purpose of making necessary additions and accommodations for the keeping and filing of the books, records and papers, and property of the State in the offices of Secretary of State and State Auditor ;

H. B. 821. Regulating fines and forfeitures in Jefferson, Marshall and Monroe counties ;

H. B. 861. To exempt the stock of parties living in Barbour county from liability for depredation upon the lands in Bullock county where stock is prohibited from running at large ;

H. B. 331. To exempt operatives and mechanics working in cotton mills and machine shops, who live in Lee and Russell counties, from public road duty ;

H. B. 454. To amend section 1632 of the Code, so far as it relates to Butler county;

H. B. 502. To establish a department of agriculture for the State of Alabama;

And ordered the same forthwith to the Senate without engrossment.

D. W. McIVER, Clerk.

HOUSE MESSAGE.

The House bills, the titles of which are set forth in the foregoing House message, were severally read a first time and ordered to a second reading.

THE SPECIAL ORDERS.

First.

Mr. McSpadden, from the committee on finance, reported favorably the bill—

H. B. 654. To make an appropriation to pay the per diem and expenses of the special joint committee to revise the revenue law of the State;

Which was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Davidson, Farnham, Grant, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Oden, Orr, Seay, Street, Titcomb, Ware—21.

On motion of Mr. Hargrove, the hour of adjournment was postponed till the Senate had disposed of

THE SECOND SPECIAL ORDER,

Which was the House amendment to the bill—

s. 144. To regulate the hiring and treatment of State and county convicts;

Which was taken up, and the Senate proceeded to consider the same informally, as in committee of the whole.

At 3:15 p. m., the Senate having completed the informal consideration as in committee of the whole, of the above bill—

The President of the Senate reported to the Senate, that the Senate had considered the bill informally, as in committee of the whole, and had instructed him to report the House

substitute back to the Senate favorably with certain amendments thereto ;

The amendments were adopted as follows :

1st. After the word "Governor," in the 5th line, insert the words "and the Warden," in section one.

2nd. Strike out section 3 and insert in lieu thereof :

"SECTION 3. *Be it further enacted*, That the Warden and inspectors may be impeached at any time, for wilful neglect of duty, corruption in office, drunkenness, incompetency, or any offense involving moral turpitude while in office, before the city or circuit courts of the county of Montgomery, in accordance with the proceedings prescribed in section 4047 to section 4070, and upon the filing of any information looking to such impeachment, the Governor shall appoint some suitable person to perform the duties of said Warden, or Inspector so informed against, pending said trial, and if said officer shall stand impeached by said court the Governor shall, by appointment, fill said vacancy. And it shall be the duty of the Governor to direct the Attorney General to file articles of impeachment against the Warden, or any Inspector who shall be guilty of violations of the provisions of this section."

3d. Add to section 7, "And when he resides permanently at any other place than the penitentiary he shall be allowed for house rent the sum of not exceeding \$300."

4th. Amend section 10 by striking out all after the word, "Warden," in line 12, down to and including the word "presence," in line 15, and insert in lieu thereof, the following, "the Warden and Governor shall open the same."

5th. Amend section 10 by adding after the word "request" in line 19, the following :

"If said convicts shall not be hired on said first proposal other proposals shall be made as the first, and so on until all are hired."

6th. Amend section 12 by adding :

"And the party authorized by the Warden to inflict punishment shall keep a well bound book, to be known as the record of punishments, in which he shall record all punishments of whatever kind, inflicted on convicts, giving name of convict punished, offense, date of punishment, and character, and exact extent or quantity of punishment, and any false entry in such record, or any failure to make entry therein, as required by this act, shall be a misdemeanor. It shall be

the duty of the Warden to carefully examine this record at least once in each month."

Amend section 13 by striking out all after "enacted," in 1st line to "subject," in 2d line, and insert the following :

"It shall be the duty of the Governor to nominate and send to the Senate the names of six competent persons for the office of Inspectors of the Penitentiary, and the Senate shall select by a majority vote from the persons thus nominated, three persons to be Inspectors of the Penitentiary. But the Senate may reject all the persons nominated for the office of Inspectors ; and in case the Senate does not select three Inspectors from the persons thus nominated, it shall be the duty of the Governor to nominate twice as many other persons as the number not confirmed by the Senate, and so on until a selection is made."

Amend section 14 by inserting after "regulate," in line 7, the following : "The time and amount of work to be performed by said convicts and."

Amend section 14 by inserting in line 8, after "fed."

"And provided with clean, healthy sleeping apartments, and also with clean bedding of such quality and in such quantity as may be necessary to keep the convicts comfortable at all seasons of the year."

Amend section 14 by inserting in line 10, before "abuses," the following :

"Neglect or."

Amend section 14 by adding : "And one of the inspectors shall, at least quarterly, and oftener if required by the Governor, visit the several places of confinement of convicts sentenced to hard labor for the county and make the same examination as upon visits to places where State convicts are confined, and report to the judge of probate the result of such examination."

Amend section 19, so as to make it read as follows, to-wit :

"SECTION 19. *Be it further enacted*, Whenever convicts are sentenced to hard labor for the county and hired out by the commissioners court, it shall be the duty of said court to appoint one or more members of such court, or some other suitable person to visit said county convicts at least once in each month, and as much oftener as said court may deem necessary ; and such person or persons so appointed shall rigidly scrutinize and inquire into the treatment and management of said convicts, and shall report in writing to the judge of pro-

bate the condition and treatment and management of said convicts, which report shall be recorded in the office of the judge of probate in a suitable book to be kept for that purpose.

The persons so appointed shall for their services receive \$3.00 per day, to be paid out of the county treasury.

And no contract shall be made by the commissioners court for hiring county convicts, without a stipulation therein that the contract shall end if the bond, in the opinion of the probate judge, becomes insufficient in security, or if the convict or convicts hired are treated cruelly or inhumanly by the hirer or his employers.

Provided, That the county convicts sent to camps where penitentiary convicts are worked, shall have the same inspection as penitentiary convicts."

Amend section 22 by striking out "one hundred" in 8th line of section 22, and inserting "twenty-five."

And, as amended, the House amendment by way of substitute, was concurred in—yeas 16, nays 4.

Yeas—Messrs. President, Billups, Bowles, Brown, Grant, Hargrove, Jones, Mitchell, Moorman, Norman, Oden, Seay, Street, Thomas, Titcomb, Troy—16.

Nays—Messrs. Gardner, Jackson, Orr, Shelby—4.

RECESS.

At 3:03 p. m., the Senate took a recess till 5 p. m.

AFTERNOON SESSION.

The Senate re-assembled at 5 p. m.

A quorum present.

REPORT OF COMMITTEES.

By leave, Mr. Hargrove, from the judiciary committee, reported favorably the bill—

s. 377. To amend section 79 of an act to incorporate the city of Tuscaloosa, approved March 12th, 1873;

Which was read a third time and passed—yeas 20, nays 1.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Hargrove, Jones,

McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing Seay, Titcomb, Ware—20.

Mr. Billups voted no.

By leave, Mr. Brooks of Mobile, from a special committee, reported favorably, with an amendment, the bill—

s. 365. To authorize the Governor, the State Auditor and the State Treasurer of this State to settle the claims of this State against Isaac H. Vincent, late State Treasurer, and his sureties on his several bonds, and any other person, firm or corporation liable to the State for money of the State obtained from said Vincent, or property obtained with money so used, with any of said parties.

The amendment was adopted, as follows :

Strike out section 3, as amended by the Senate.

The bill was read a third time and passed—yeas 19, nays 10.

Yeas—Messrs. President, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, McClellan, Moorman, Norman, Rushing, Seay, Titcomb, Troy, Ware—19.

Nays—Messrs. Billups, Bowles, Grant, Jackson, Mitchell, McSpadden, Oden, Orr, Pate, Street—10.

ENROLLED BILLS.

Mr. Orr, from the committee on enrolled bills, reported the following bills correctly enrolled :

s. 308. To vacate and annul the charter and dissolve the corporation of the city of Opelika, and to provide for the application of the assets thereof, in discharge of the debts of the corporation.

s. 77. To provide for the collection of taxes in the counties of Lee, Chambers, Randolph, Tallapoosa and Pickens.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing report of enrolling committee.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 16, 1883.

Mr. President :

The House has originated and passed the bills—

H. B. 375. To require the courts of county commissioners of Conecuh and Monroe counties to provide for working the old Federal road, the boundary line between said counties.

H. B. 441. To authorize the court of county commissioners of Russell county to appoint and employ a superintendent of public roads and bridges in said county.

H. B. 871. To prescribe the amount to be paid for board and care of certain pay patients in the Insane Hospital of Alabama at Tuscaloosa.

H. B. 836. To make an appropriation to pay for clerical expense to the joint committee to examine offices of Auditor and Treasurer, as provided for in sections 34, 35, 36 and 37 of the Code, said expenses being authorized under joint resolution of the General Assembly, passed December, 1882.

H. B. 888. To amend sub-division 18 of section 1 of an act entitled an act to make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for interest on the public debt, and for public schools, approved December 12, 1882.

H. B. 886. To make appropriations for the payment of the Railroad Commissioners and their clerk, and for other expenses of the Railroad Commission.

H. B. 889. For the compensation of the assistant librarian for the fiscal years ending September 30, 1883, and September 30, 1884, respectively.

And ordered the same forthwith to the Senate without engrossment.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set out in the foregoing House message, were severally read a first time and ordered to a second reading.

REPORT OF COMMITTEE.

By leave, Mr. Troy, from judiciary committee, reported favorably, with amendments, the bill—

s. 307. To provide for the payment of the compensation and expenses of the commissioner appointed pursuant to an act "to provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee, and Pickens, arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies, approved December 7, 1882.

The amendments were adopted as follows :

Amend by filling first blank with "twelve hundred dollars."

Amend by filling second blank with "three hundred dollars."

Amend by filling third blank with "fifteen hundred dollars."

Amend by adding to section 3, the following: "to be paid out of the first money paid into the treasury to the credit of any of said counties, and [one-fifth thereof, to-wit: three hundred dollars, to be charged against each of said counties."

Amend by adding an additional section :

"SECTION 4. *Be it further enacted*, That one-fifth of what will be a reasonable and just compensation for services rendered by said commissioner, after the passage of this act, shall be paid by each one of the said counties upon the order of the court of county commissioners of such counties."

The bill was read a third time, and pending its consideration—

ADJOURNMENT.

On motion of Mr. McSpadden, at 6:45 o'clock p. m., the Senate adjourned.

FORTY-SIXTH DAY.

SATURDAY, February 17, 1883.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Avent, of the House.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Moor-
man, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby,
Street, Titcomb, Ware—26.

On motion of Mr. Ware the reading of the journal was dispensed with, and it was approved without being read.

ENROLLED BILLS.

Mr. Orr, from committee on enrolled bills, reported the following bill correctly enrolled :

s. 124. To amend an act to revive and complete the geological and agricultural survey of the State of Alabama.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 17, 1883.

Mr. President :

The Speaker of the House having signed the following bills and joint memorial, your signature thereto is requested, viz :

H. B. 268. To incorporate the Fowl River Improvement and Canal Company.

H. B. 442. To protect fish in the State of Alabama.

H. B. 174. To allow the qualified voters of Escambia county to locate the county site by ballot.

H. B. 97. To prevent the change or the mutilation of marks, brands or numbers on cotton by warehousemen or others.

H. B. 654. To make an appropriation to pay the *per diem* and expenses of the special joint committee to revise the revenue law of the State.

H. B. 535. To amend an act to regulate the drawing and impanneling of grand and petit juries in Dallas county, approved December 12, 1882.

H. 613½. Joint memorial of the General Assembly of Alabama to the Congress of the United States, praying for the passage of a bill to aid in the construction of the Gulf and Chicago Air Line Railroad.

H. B. 717. To incorporate the Bienville Water Supply Company.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing House message and report of the enrolling committee.

REPORTS FROM COMMITTEES.

By leave, Mr. McSpadden, from a special committee, reported favorably the bill—

s. 392. To incorporate the Rome & Decatur Railroad Company, and to authorize the same to engage in mining and manufacturing ;

Which was read a third time and passed—yeas 19, nays 0.

Yeas—Messrs. President, Billups, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Street, Titcomb—19.

By leave, Mr. Brooks of Mobile, from the committee on finance, reported favorably the bill—

H. B. 590. To appropriate the sum of seven thousand five hundred dollars to be expended in the making of necessary repairs upon the building belonging to the State of Alabama, located at Mobile, and known as the Medical College of Alabama.

Mr. Brewer offered an amendment ;

Which, on motion of Mr. Brooks of Mobile, was tabled.

The bill was read a third time and passed—yeas 23, nays 7.

Yeas—Messrs. Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Rushing, Smith, Street, Troy, Ware—23.

Nays—Messrs. Billups, Brewer, Jackson, Orr, Pate, Seay, Shelby—7.

By leave, Mr. Jones, from the judiciary committee, reported favorably the bill—

s. 315. To amend section 3 of an act to alter and amend the charter of the town of Camden, in Wilcox county, Alabama, approved February 8, 1858.

The bill was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks

of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Seay, Smith Street, Troy, Ware—25.

By leave, Mr. Orr, from the committee on temperance, reported favorably the bill—

s. 354. To regulate the issuing of license to sell vinous, spirituous or malt liquors in Morgan county;

Which was read a third time and passed—yeas 20, nays 2.

Yeas—Messrs. Billups, Bowles, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Seay, Street, Ware—20.

Messrs. President and Troy voted no.

By leave, Mr. Brooks of Mobile, from the committee on finance, reported favorably the bill—

s. 304. To authorize the court of county commissioners of Marion county to levy and collect a special tax, not exceeding three-fourths of one per centum, on the taxable property in said county, for the purpose of paying for the erection of the court-house and jail in said county;

Which was read a third time and passed—yeas 27, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—27.

By leave, Mr. Titcomb, from the committee on local legislation, reported favorably the bill—

H. B. 711. To alter and amend the charter of the city of Huntsville, as established by an act approved March 3rd, 1870, entitled an act to establish a new charter for the city of Huntsville, and an act approved February 17, 1871, entitled an act to amend an act to establish a new charter for the city of Huntsville;

Which was postponed and made a special order for Tuesday next immediately after the reading of the journal, and from day to day until disposed of.

By leave, Mr. Billups, from the committee on temperance, reported favorably the bill—

H. B. 232. To regulate the sale or disposing of spirituous vinous or malt liquors, or other intoxicating beverages, in the county of Pickens;

Which was read a third time and passed—yeas 22, nays 0.
Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Rushing, Shelby, Smith, Street, Titcomb—22.

Also, favorably, the bill—

H. B. 11. To repeal an act of the General Assembly of Alabama, approved December 8, 1880, to prohibit the sale, giving, distilling or otherwise disposing of intoxicating beverages, in Crenshaw county ;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Oden, Orr, Rushing, Street, Titcomb, Ware—23.

Also, favorably, with an amendment, the bill—

s. 237. To amend an act to prohibit the sale or giving away of spirituous, vinous or malt liquors in Lowndes county, except in incorporated cities and towns, approved 26th February, 1881.

The amendment was adopted, as follows :

“*Provided*, This act shall not apply to Mount Willing beat, in said county.”

Mr. Brooks of Mobile, offered the following amendment :

“*Provided*, That the provisions of this bill shall not apply to the valuable medicinal compound commonly called “rock and rye ;”

Which, on motion of Mr. Brewer, was tabled.

The bill was read a third time and passed—yeas 25, nays 3.

Yeas—Messrs. Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Pate, Rushing, Seay, Street, Thomas, Titcomb, Troy, Ware—25.

Messrs. Jackson, Orr and Shelby voted no.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., February 17, 1883.

Mr. President :

The Governor has approved the following bills, which originated in the Senate.

s. 79. To provide for the better working of the public roads in Jackson county.

s. 140. To establish and incorporate the Scott Academy, at Scottsboro, in Jackson county.

W. G. HUTCHESON,
Recording Secretary.

REPORT OF JOINT COMMITTEE.

Mr. Bowles, from a joint committee, submitted the following report:

Mr. President :

The joint committee, to which was referred the question of the time of adjournment of the two houses, beg leave to report that we have made careful inquiry, and find that the accumulation of business in the hands of the secretaries is such that it will be impossible to have the records written up, without the intermission of a day, and as the 22d of February is a day usually observed, we recommend that the General Assembly adjourn over from Wednesday evening till Friday morning; that no bills be put upon final passage after 12 m., Friday, the 23d; and that the General Assembly adjourn on the night of Friday, 23d, at 12 o'clock.

L. H. BOWLES,
Chairman of Senate Committee.
R. T. SIMPSON,
Chairman of House Committee.

Mr. Hargrove moved to strike out 12 and insert 7, as to passage of bills.

Agreed to.

The report, as amended, was concurred in.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 17, 1883.

Mr. President :

The House has concurred in the Senate amendment to the report of the joint committee on final adjournment, so as to insert 7 p. m. instead of 12 m., for the passage of bills; and as amended, has adopted the same.

The House has originated and passed the bills :

H. B. 399. To prohibit the running of logs or timber without clamping or binding the same, during the season of high waters, in the stream of Burnt Corn and its tributaries, in the counties of Conecuh and Escambia.

H. B. 747. To amend section 37 of an act entitled "An act for the organization and discipline of the volunteer forces of Alabama, approved March 1, 1881."

H. B. 255. To amend section 1630 of the Code, so far as the same relates to Jefferson county, and otherwise regulate the working of the public roads in said county.

H. B. 585. To incorporate the town of Browneville.

And ordered the same to the Senate forthwith.

And has originated and passed the bill—

H. B. 503. To better enforce the working of the public roads in the counties of Montgomery and Hale.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set out in the foregoing House message, were severally read a first time and ordered to a second reading.

BILLS ON SECOND READING.

The bill—

H. B. 502. To establish a department of agriculture for the State of Alabama ;

Was read a second time and referred to the committee on internal improvements.

The bills—

s. 415. To make the fund arising from the hire of convicts in Chambers county part of the fine and forfeiture fund ;

H. B. 375. To require the courts of county commissioners of Conecuh and Monroe counties to provide for working the Old Federal Road; the boundary line between said counties,;

Were severally read a second time and referred to the committee on local legislation..

The bill—

H. B. 871. To prescribe the amount to be paid for board and care of certain pay patients in the Insane Hospitals of Alabama at Tuscaloosa ;

Was read a second time and referred to the committee on municipal and county organization.

The bills—

s. 416. To fix the rate of taxation in the State of Alabama ;

H. B. 888. To amend sub-division 18 of section 1 of an act entitled an act to make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for interest on the public debt and for public schools, approved December 12, 1882 ;

H. B. 889. For the compensation of the assistant librarian for the fiscal years ending September 30, 1883, and September 30, 1884, respectively ;

H. B. 886. To make appropriations for the payment of the Railroad Commissioners and their clerk, and for other expenses of the Railroad Commission ;

H. B. 836. To make an appropriation to pay for clerical expense to the joint committee to examine offices of Auditor and Treasurer, as provided for in sections 34, 35, 36, and 37 of the Code ; said expenses being authorized under joint resolution of the General Assembly, passed December, 1882 ;

H. B. 915. To make an appropriation for the purpose of making necessary additions and accommodations for the keeping and filing of the books, records and papers, and property of the State in the offices of Secretary of State and State Auditor ;

Were severally read a second time and referred to the committee on finance.

The bills—

H. B. 454. To amend section 1632 of the Code, so far as relates to the county of Butler ;

H. B. 570. To revive, renew and amend the charter of the Cahawba River Bridge Company, granted February 29th, 1848, and the amendments thereto ;

H. B. 861. To exempt the stock of parties living in Barbour county from liability for depredation upon the lands in Bullock county where stock is prohibited from running at large ;

Were severally read a second time and referred to the committee on industrial resources.

H. B. 331. To exempt operatives and mechanics working in cotton mills and machine shops, who live in Lee and Russell counties, from public road duty ;

H. B. 441. To authorize the court of county commissioners of Russell county to appoint and employ a superintendent of public roads and bridges in said county;

H. B. 355. To amend an act to amend an act to amend section 1817 of the Code, approved February 11, 1881;

H. B. 821. Regulating fines and forfeitures in Jefferson, Marshall and Monroe counties;

Were severally read a second time and referred to the committee on revision of laws.

The bill—

H. B. 859. To amend sub-division one (1), of section 13, of article 3, of the act to organize and regulate a system of public instruction for the State of Alabama;

Was read a second time and referred to the committee on education.

The bills—

H. B. 569. To make it unlawful for notaries public or justices of the peace to sit in judgment, or try any civil cause in which such officer is the employee of either plaintiff or defendant in the cause to be tried;

H. B. 904. To revive and continue in force the charter of the Chickasaw, Birmingham and Tuscaloosa Railroad, Mining and Manufacturing Company, a company chartered under the general law, and empowered to mine and manufacture, and also to fix the rate of passenger transportation by an act approved March 6, 1875;

Were severally read a second time and referred to the judiciary committee.

UNFINISHED BUSINESS.

On motion of Mr. Brooks of Macon, the Senate proceeded to consider the bill—

s. 307. To provide for the payment of the compensation and expenses of the commissioner appointed pursuant to an act, to provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee and Pickens, arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies, approved December 7, 1882.

Mr. Seay moved to recommit the bill to a special committee, with instructions to prepare a substitute, requiring the

commissioners courts of the respective counties to pay the compensation of said commissioner; said committee to report at 5 o'clock this afternoon.

Agreed to.

The President appointed on said committee Messrs. Seay, Troy and Billups.

REPORTS OF COMMITTEES.

Mr. Billups, from the committee on temperance, reported favorably the bill—

H. B. 495. To prevent the violation or evasion of prohibition laws, and of the law requiring license to sell vinous, spirituous, or malt liquors;

Which was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Jones, McClellan, Mitchell, McSpadden, Norman, Orr, Rushing, Seay, Street, Thomas, Titcomb, Troy—22.

Also, favorably, the bill—

H. B. 376. To prohibit the sale, giving away, or other disposition of spirituous, vinous, or malt liquors, except in certain cases, in Perryville beat, Perry county;

Which was read a third time and passed—yeas 18, nays 2.

Yeas—Messrs. President, Bowles, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, McClellan, Mitchell, McSpadden, Rushing, Seay, Street, Thomas, Titcomb, Troy, and Ware—18.

Messrs. Billups and Orr voted nay.

By leave, Mr. McClellan, from the committee on municipal and county organization, reported favorably, with an amendment, the bill—

H. B. 561. To authorize the court of county commissioners of Conecuh county to issue the bonds of said county for an amount not exceeding ten thousand dollars, for the purpose of building a court house in said county.

The amendment was adopted as follows:

Amend by striking out the words "ten thousand," where they occur in the caption and body of the bill, and inserting in lieu thereof the words "seven thousand five hundred;"

The bill was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin;

Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Street, Thomas, Titcomb, Troy—25.

Mr. McClellan, from the committee on the judiciary, reported favorably the bill—

H. B. 482. To incorporate the Home Real Estate and Loan company of Selma, Alabama;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Jones, McClellan, Mitchell, McSpadden, Norman, Orr, Rushing, Seay, Street, Thomas, Titcomb, and Troy—23.

Mr. McClellan, from the committee on municipal and county organization, reported favorably the bill—

H. B. 250. To authorize and empower the corporate authorities of the town of Anniston to levy and collect license taxes upon all occupations and avocations that may be carried on within the corporate limits of said town;

Which was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Shelby, Street, Titcomb, Troy—25.

Mr. Billups, from the temperance committee, reported favorably the bill—

H. B. 642. To repeal an act to prohibit the sale and giving away of whisky, or other intoxicating liquors, within six miles of the Baptist church in the village of McKinley, in Marengo county;

Which was read a third time and passed—yeas 21, nays 1.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Gardner, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Pate, Rushing, Shelby, Street, Titcomb—21.

Mr. Orr voted "no."

By leave, Mr. Hargrove, from the judiciary committee, reported favorably, with an amendment, the bill—

s. 394. To provide for the disposition of the wife's dower in the real estate of the husband when she is insane;

The amendment was adopted, as follows:

Amend by adding to section one the words, to-wit: "and the age and health of the husband."

The bill was read a third time and passed—yeas 23, nays 2.
Yeas—Messrs. President, Billups, Brewer, Brooks of Mobile, Brown, Farnham, Gardner, Hargrove, Jackson, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby, Smith, Thomas, Titcomb, Troy—23.

Messrs. Bowles and Jones voted “no.”

Mr. Mitchell, from the committee on revision of laws, reported favorably the bill—

s. 145. To regulate the fees of witnesses for the State in criminal cases.

Mr. Bowles offered an amendment, which was adopted, as follows:

“*Provided*, That the provisions of this bill shall not apply to the counties of Pike, Crenshaw, Covington, Clarke, Washington and Choctaw.”

The bill was read a third time and passed—yeas 26, nays 1.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Griffin, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Troy—26.

Mr. Titcomb voted “no.”

Mr. Brooks of Mobile, from the committee on finance, reported favorably, the bill—

H. B. 707. For the relief of Oliver M. Smith, late tax collector of Jefferson county;

Which was read a third time and passed—yeas 14, nays 8.

Yeas—Messrs. President, Bowles, Brooks of Macon, Brooks of Mobile, Farnham, Gardner Griffin, Jones, Luckie, McSpadden, Norman, Oden, Street, Thomas—14.

Nays—Messrs. Billups, McClellan, Mitchell, Orr, Rushing, Shelby, Smith, Troy—8.

Mr. McClellan, from the judiciary committee, reported favorably the bill—

s. 359. To amend section 1812 of the Code, relating to contracting debts by corporations;

Which was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Shelby, Smith, Street, Ware—24.

Mr. Mitchell, from the committee on the revision of laws, reported favorably, with amendments, the bill—

s. 353. To authorize and require the Governor of the State to appoint a competent person to examine and investigate the condition of the offices of the State Treasurer, State Auditor, State Superintendent of Education, and Warden of the Penitentiary.

The amendments were adopted as follows:

Amend by inserting the word "ten" after the word "exceeding," in the 13th line of section one, of the bill, and by inserting the words "not exceeding ninety days in any one investigation" after the word "examination," in the fifteenth line of the 1st section of the bill;

Amend by striking out the words "and warden of the penitentiary" where they occur in the title, and in the fourth line of section one of the bill.

Amend by striking out section 2, and inserting the following:

SECTION 2. *Be it further enacted*, That if the report of said examiner to the Governor shall disclose wilful neglect of duty, corruption in office, habitual drunkenness, incompetency, or any offense involving mortal turpitude while in office, or committed under color thereof, or connected therewith, on the part of any of the officers named in the foregoing section, the Governor shall forthwith institute full inquiry into the facts, as reported, and if found by such inquiry to be substantially correct, the Governor is hereby authorized and empowered to issue to such officer so implicated an order of suspension from office for a period not exceeding thirty days, and such suspension may be continued by successive orders till the matter of such wilful neglect of duty, corruption in office, habitual drunkenness, incompetency, or any offense involving moral turpitude while in office, or committed under color thereof, or connected therewith, is disposed of by the General Assembly or the courts of the State.

Amend, also, by striking out the word "room," and inserting the word "stead" in the 4th line of section 3.

The bill was read a third time and passed—yeas 22, nays 3.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Jones, Mitchell, Moorman, McSpadden, Norman, Seay, Shelby, Smith, Street, Thomas, Troy, Ware—22.

Messrs. Bowles, McClellan and Orr voted no.

On motion of Mr. Norman, Mr. Billups, from the commit-

tee on temperance, reported without recommendation, the bill—

s. 10. To repeal an act to prevent the selling of vinous, spirituous or malt liquors, beverages or bitters, composed in whole or in part of such spirituous or malt liquors, in the county of Bullock, except by regularly licensed druggists, upon the prescription of licensed physicians, and to provide a local option law for the sale of such liquors, beverages or bitters, in incorporated towns and cities in said county having a population of two hundred and fifty, or more, approved February 28th, 1881.

And pending its consideration,

RECESS.

The hour of 2 p. m. having arrived, the Senate took a recess till 4 p. m.

AFTERNOON SESSION.

The Senate re-assembled at 4 p. m., a quorum present.

UNFINISHED BUSINESS.

The bill—

s. 10. To repeal an act to prevent the selling of vinous, spirituous or malt liquors, beverages or bitters, composed in whole or in part of such spirituous or malt liquors, in the county of Bullock, except by regularly licensed druggists, upon the prescription of a licensed physician, and to provide a local option law for the sale of such liquors, beverages or bitters, in incorporated towns or cities in said county having a population of five hundred and fifty or more, approved February 28th, 1881;

Was taken up, read a third time and passed—yeas 22, nays 2.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, Nor-

man, Rushing, Shelby, Smith, Street, Thomas, Troy, Ware—22.

Messrs. Billups and Orr voted no.

REPORT OF COMMITTEE.

Mr. Troy, from a special committee, reported without recommendation the resolution requesting the Governor to inform the Senate at the earliest moment if there is any State officer without a bond.

Mr. Gardner offered a substitute therefor, and pending its consideration,

On motion of Mr. Hargrove, the resolution and substitute were postponed and made a special order for Tuesday at 12 o'clock.

Mr. Gardner moved to reconsider the vote postponing the resolution aforesaid.

Mr. Troy moved to table the motion to reconsider.

Lost—yeas 8, nays 19.

Yeas—Messrs. Billups, Bowles, Grant, Hargrove, Moorman, Smith, Thomas, Troy—8.

Nays—Messrs. President, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Jackson, Jones, McClellan, Mitchell, McSpadden, Norman, Orr, Pate, Rushing, Shelby, Street—19.

The motion prevailed,

And on Mr. Gardner's resolution the motion was postponed and made a special order for Monday at 11 o'clock.

By leave, Mr. Hargrove, from the judiciary committee, reported favorably, the bill—

s. 410. To avoid an election for members of the courts of county commissioners of the several counties of this State during the year 1883, and to extend the term of office of the members of said courts of county commissioners;

Which was read a third time.

By unanimous consent, on motion of Mr. Farnham, a proviso was added, excepting the counties of Butler and Conecuh from the provisions of the bill.

The bill passed—yeas 15, nays 11.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brown, Davidson, Hargrove, Jackson, McClellan, Mitchell, Moorman, Orr, Smith, Street, Thomas—15.

Nays—Messrs. Brooks of Mobile, Farnham, Gardner,

Grant, Jones, McSpadden, Pate, Rushing, Shelby, Troy Ware—11.

Mr. Brooks of Mobile, from the committee on finance, reported favorably, with amendments, the bill—

H. B. 743. In execution of the powers of the State of Alabama in relation to the lands granted to this State which are within fifteen miles from and on each side of the line of the railroad heretofore known as the Alabama and Chattanooga Railroad by act of Congress of June 3, 1856, entitled an act granting public lands in alternate sections to the State of Alabama to aid in the construction of certain railroads in said State, and the act of Congress of April 10, 1869, entitled an act to renew certain grants of land to the State of Alabama.

The amendments were adopted, as follows :

Amend section 4 by striking out all after the word "cash," and inserting as follows :

"Or in bonds of the State of class A, B or C, at the market value thereof, to be paid into the treasury of the State, as may be designated by the Governor, subject to the order of the State Treasurer, whenever the proper department of the Federal Government shall issue to said trustees other and further evidence or assurance of title, as contemplated by section 2 of this act."

Amend by adding the following :

"SECTION 5. *Be it further enacted*, That the provisions of this act shall not become operative or go into effect until and unless, within twelve months from the approval of this act the settlement and payment are made and executed as aforesaid, the amount so paid either in cash or in bonds, or deposited in bank by said bondholder as hereinbefore provided, shall be in full liquidation of the claims of the State for reimbursement of the amount of interest heretofore paid by the State upon the bonds mentioned in the 15th section of the act of the General Assembly, approved February 23d, 1876."

Mr. McSpadden offered an amendment, and pending the consideration thereof.

On motion of Mr. Troy, the bill was postponed and made a special order for Monday next.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 17, 1883.

Mr. President :

The House has passed, without amendment, the bill :

s. 241. To assist the University of Alabama, and the State Agricultural and Mechanical College in furnishing additional room for students and facilities for instruction.

D. W. McIVER, Clerk.

REPORTS OF COMMITTEES.

Mr. Troy, from the judiciary committee, reported favorably, with an amendment, the bill—

s. 320. To amend sections 1830, 1831 and 1838 of the Code.

The amendment was adopted as follows :

Amend by striking out the second proviso in the last section.

The bill was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. Billups, Bowles, Brewer, Brooks of Macon, Brown, Farnham, Grant, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—22.

Mr. Rushing, from the committee on printing, reported favorably the bill—

s. 412. To authorize Susan A. Beall, widow of Samuel P. Beall, deceased, of Coffee county, to sell and convey by deed, all of the real estate belonging to the estate of the said deceased, and report the sales thereof to the circuit clerk or register in chancery, and to be affirmed by him before the sales shall be lawful ;

Which was read a third time and passed—yeas 19, nays 2.

Yeas—Messrs. Billups, Bowles, Brown, Farnham, Grant, Griffin, Hargrove, McClellan, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Smith, Street, Thomas, Ware—19.

Messrs. Shelby and Troy voted no.

Mr. Hargrove, from the judiciary committee, reported favorably the bill—

s. 341. To relinquish the claim of the State of Alabama to certain lands therein mentioned ;

Which was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Rushing, Seay, Shelby, Smith, Street, Thomas, Troy, Ware—25.

Mr. Hargrove, from the judiciary committee, reported favorably the bill—

s. 210. To authorize any person or corporation operating water works for supplying water to any city or incorporated town to condemn and acquire land and water necessary for that purpose, and to protect their property from depredation ;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Brewer, Brooks of Mobile, Brown, Farnham, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Street, Thomas, Titcomb, Troy, Ware—23.

Mr. Brooks of Mobile, from the committee on finance, reported favorably the bill—

H. B. 307. To incorporate the Talladega Real Estate and Loan Association ;

Which was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy, Ware—24.

Mr. Hargrove, from the judiciary committee, reported adversely the bill—

s. 299. To provide compensation to circuit judges and chancellors for extra services performed by them.

The adverse report was concurred in.

Mr. Titcomb, from the committee on local legislation, reported favorably the bill—

H. B. 64. To repeal an act entitled an act for the protection of fish in Baldwin county, approved February 3, 1881 ;

Which was read a third time and passed—yeas 20, nays 3.

Yeas—Messrs. Bowles, Brewer, Brown, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, Norman, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—20.

Nays—Messrs. Billups, Farnham, McSpadden—3.

Mr. Troy, from the judiciary committee, reported favorably the bill—

s. 358. To confer additional powers on the corporate authorities of the city of Montgomery;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brown, Farnham, Gardner, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Seay, Smith, Street, Thomas, Titcomb, Troy, Ware—23.

Mr. Billups, from the temperance committee, reported favorably the bill—

H. B. 699. To prevent the sale or giving away of vinous, spirituous or malt liquors or other intoxicating beverages, in the county of Choctaw, except by regularly licensed physicians, and to provide penalties for the violation thereof;

Which was read a third time and passed—yeas 24, nays 1.

Yeas—Messrs. Billups, Bowles, Brewer, Brown, Farnham, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Smith, Street, Thomas, Titcomb, Troy, Ware—24.

Mr. Jackson voted no.

Mr. Seay, from a special committee, reported a substitute for the bill—

s. 307. To provide for the payment of the compensation and expenses of the commissioner appointed pursuant to an act to provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee and Pickens, arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies, approved December 7, 1882.

The substitute was adopted.

The bill was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. President, Bowles, Brewer, Brown, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Seay, Smith, Street, Thomas, Troy, Ware—21.

INTRODUCTION OF BILL.

By leave, Mr. Brooks, of Mobile, introduced a bill—

s. 417. To provide the time of payment of any additional appropriation which has been or may be made for the public schools at the present session of the General Assembly;

Which was read a first time and ordered to a second reading.

ENROLLED BILLS.

Mr. Orr, from committee on enrolled bills, reported the following bill correctly enrolled :

s. 241. To assist the University of Alabama and the State Agricultural and Mechanical College in furnishing additional room for students and facilities for instruction.

SIGNING BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bill, the title of which is set out in the foregoing report of the enrolling committee.

REPORTS OF COMMITTEES.

Mr. Hargrove, from the judiciary committee, reported favorably the bill—

s. 411. To relieve M. Victorie Saunders, of Hale county, from the disabilities of non-age ;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Billups, Bowles, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Seay, Shelby, Street, Troy, Ware—20.

Mr. Jones, from the same committee, reported favorably the bill—

s. 342. To change the times of holding the chancery courts in the counties of Wilcox and Randolph ;

Which was read a third time and passed—yeas 18, nays 0.

Yeas—Messrs. President, Bowles, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Seay, Shelby, Street, Troy, Ware—18.

Mr. McSpadden, from the committee on the revision of laws, reported favorably the bill—

s. 356. To regulate the time of holding the circuit courts in Cherokee and Etowah counties in the 7th judicial circuit ;

Which was read a third time and passed—yeas 19, nays 0.

Yeas—Messrs. President, Billups, Bowles, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Seay, Shelby, Street, Troy, Ware—19.

Mr. Hargrove, from the judiciary committee, reported favorably, with an amendment, the bill—

s. 371. To amend subdivision three (3) of section 3069 of the Code.

The amendment was adopted, as follows :

Amend by inserting "forty" in lieu of "fifty."

The bill was read a third time, and

On motion of Mr. Seay, postponed and made a special order for Monday after the reading of the journal.

Mr. Hargrove, from the judiciary committee, reported a substitute for the bill—

s. 132. To better secure the payment of fines and costs in criminal cases in the courts of this State.

The substitute was adopted.

The bill was read a third time and passed—yeas 13, nays 5.

Yeas—Messrs. President, Billups, Farnham, Grant, Griffin, Hargrove, Jones, Moorman, McSpadden, Orr, Seay, Street, Troy—13.

Nays—Messrs. Bowles, Gardner, Mitchell, Shelby, Ware—5.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 17, 1883.

Mr. President :

The House has originated and passed the bills—

H. B. 906. To punish persons constructing or repairing railroads who throw timber or other obstructions into or across streams and culverts.

H. B. 712. To amend an act to secure the keeping in repair and of closing gates erected across public roads.

H. B. 883. To amend an act to prescribe the manner in which claims against the fine and forfeiture fund of Macon county shall be paid.

H. B. 480. To authorize the Auditor to restate the accounts of J. L. Rapier & Co., and for the payment of any balance which may be found due from the State.

H. B. 455. To amend section 5027 of the Code, so far as the same relates to the county of Butler.

H. B. 884. To provide for the prosecution of misdemeanants in the county court of Marengo county.

H. B. 797. To amend sections 3, 4, 6 and 11 of an act to incorporate the city of Greenville, approved March 9, 1871.

H. B. 858. To amend sections six (6) and fourteen (14) of an act entitled "An act to incorporate the town of Ozark, in the county of Dale," approved March 19, 1873.

H. B. 900. To relieve Albert Roman, a citizen of Barbour county, of his legal disabilities.

H. B. 623. To authorize and empower the commissioners court of Calhoun and Jefferson counties to allow increased pay to the circuit clerk for his services.

H. B. 912. To provide a fund for the support of the supreme court library without appropriations from the treasury.

H. B. 796. To repeal section six (6) of an act entitled "An act to regulate the fine and forfeiture fund of certain counties," approved February 13, 1879, so far as Blount county is concerned.

H. B. 759. To amend section 794 of the Code of Alabama. And has passed the bill—

s. 234. To require persons whose claims against Sumter county have been allowed by the commissioners court thereof against the general fund of said county, to draw their warrants for the amount within six months.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set out in the foregoing House message, were severally read a first time and ordered to a second reading.

RESOLUTIONS.

Mr. Troy offered a resolution, which was adopted, as follows :

Resolved, That until the close of the session on Monday next, only Senate bills shall be reported by any committee.

REPORTS OF COMMITTEES.

Mr. Jones, from the committee on the penitentiary, reported favorably, with an amendment, the bill—

s. 183. To secure the equitable distribution of the hard labor and fine and forfeiture funds of Hale county, Alabama.

The amendment was adopted, as follows :

Amend by adding the following to section 3 :

"Provided, That the claims of officers and witnesses now properly registered shall not be required to be re-registered; *And be it further provided*, That the provisions of this act shall not apply to the disbursement of any hires of convict labor that were due to said Hale county on the 1st of November last; *And provided further*, That all claims properly registered against the fine and forfeiture fund shall be received in payment of fines and forfeitures."

The bill was read a third time and passed—yeas 24, nays 1.

Yeas—Messrs. Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Ware—24.

Mr. Troy voted no.

All Senate bills passed to-day were ordered to the House forthwith, without engrossment.

Mr. Troy, from the judiciary committee, reported favorably the bill—

s. 221. To provide for the appointment of an official stenographer for the city court of Montgomery, and other courts held in said county, and to define his duties and regulate his compensation;

Which was read a third time and passed—yeas 18, nays 0.

Yeas—Messrs. President, Billups, Bowles, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Orr, Seay, Shelby, Street, Troy, Ware—18.

Also, favorably, the bill—

s. 327. To authorize the Alabama State Bar Association to institute and prosecute proceedings to disbar practicing attorneys;

Which was postponed and made a special order for Monday immediately after the reading of the journal.

ADJOURNMENT.

At 7:50 p. m., on motion of Mr. Seay, the Senate adjourned.

FORTY-SEVENTH DAY.

MONDAY, February 19, 1883.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Anderson, of Elmore.

Present—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—32.

On motion of Mr. Ware, the reading of the journal was dispensed with, and it was approved without being read.

The Senate proceeded to consider

THE SPECIAL ORDERS.

First.

The bill—

s. 371. To amend sub-division three (3), of section 3069 of the Code;

Was taken up.

By unanimous consent, Mr. Farnham offered an amendment, which was adopted, as follows:

"But in cases where the deposition is taken upon the ground that the witness resides more than forty miles from the place of trial, either party may make affidavit that the personal attendance of the witness is necessary to a proper decision of the cause, and that his deposition would be insufficient for that purpose, which must be endorsed upon the subpoena by the clerk, or other officer issuing the same."

The bill was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby Smith, Street, Titcomb, Ware—25.

Second.

The bill—

s. 327. To authorize the Alabama State Bar Association to institute and prosecute proceedings to disbar practicing attorneys;

Was taken up.

On motion of Mr. McSpadden, the bill was amended as follows:

Add after the word "State," where it occurs in the 11th line, section 1, the words, "in the county of his residence."

The bill was read a third time and passed—yeas 28, nays 2.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—28.

Messrs. Jackson and Shelby voted no.

Third.

The Senate proceeded to consider the resolution requesting the Governor to inform the Senate if there is any State officer now without a bond, &c.

The question being the adoption of the pending amendment offered by Mr. Gardner, as follows:

SENATE CHAMBER, February 17, 1873.

To His Excellency, Gov. E. A. O'NEAL:

Whereas, information has reached the Senate, through other than Executive channels, that all of the officials have not complied with the requirements of existing law, which demands that their bonds, with approved security, be on file and of record in the proper departments; and as this body is solicitous to remove all obstacles and to render every assistance to your Excellency in the proper discharge of the high functions of your office, it would respectfully, but earnestly, suggest the propriety of an immediate requirement of a strict compliance with the law in this behalf on the part of any delinquent incumbent, that no additional detriment may befall the commonwealth; and it would further respectfully request that you inform the Senate, at your earliest convenience, of your determination and action in this matter.

Mr. Brooks of Mobile, offered a substitute for the substitute, as follows:

Resolved by the Senate, (the House of Representatives concurring), That the Governor be, and he is hereby, respectfully requested to inform the General Assembly, at the earliest moment, whether or not, the Warden of the Penitentiary, or any other State official is now performing the duties of his office, without the bond required by law.

The substitute for the substitute was adopted—yeas 25, nays 2.

Yeas—Messrs. President, Billups, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—25.

Messrs. Gardner and Shelby voted no.

And the resolution, as substituted, was adopted.

Fourth.

The bill—

s. 33. To prevent speculations in futures;

Was taken up.

The substitute for the substitute was lost—yeas 10, nays 20.

Yeas—Messrs. Brewer, Brooks of Mobile, Davidson, Gardner, Jones, Luckie, Oden, Smith, Troy, Ware—10.

Nays—Messrs. President, Billups, Bowles, Brooks of Macon, Brown, Farnham, Grant, Griffin, Jackson, McClellan, Mitchell, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby, Street, Titcomb—20.

Mr. McSpadden offered a substitute for the substitute, which was adopted.

The substitute was adopted.

The bill was read a third time and passed—yeas 19, nays 10.

Yeas—President, Bowles, Brooks of Macon, Brown, Farnham, Gardner, Griffin, Hargrove, McClellan, Mitchell, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Street, Titcomb—19.

Nays—Messrs. Brewer, Brooks of Mobile, Davidson, Jackson, Jones, Luckie, Moorman, Shelby, Troy, Ware—10.

Fifth.

The bill—

H. B. 666. For the relief of J. B. Simpson, A. Lehman,

Jas. McFerrin, Caswell Ellington. Job Thigpen and A. M. Crum, as sureties on the official bond of Joseph M. Thigpen, county superintendent of education of Butler county;

Was taken up, and on motion of Mr. Farnham, the motion to reconsider was postponed and made a special order for to-morrow.

Sixth

The bill—

s. 352. To amend section one of an act entitled an act for the preservation of game animals and birds in the counties of Mobile, Monroe, Montgomery, Marengo, Baldwin, Dallas, Lowndes, Hale, Clarke, Greene, Wilcox, Pike, Talladega, Pickens, Bibb, Autauga, Chilton, Clay and Jefferson, approved February 13th, 1879, so far as the same applies to Hale county;

Was taken up.

Mr. Seay offered a substitute therefor.

The substitute was adopted, with caption as follows:

s. 352. For the preservation of game animals and birds in the county of Hale.

The bill was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Mobile, Brown, Farnham, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, McSpadden, Norman, Oden, Orr, Pate, Seay, Smith, Street, Titcomb, Ware—22.

Seventh.

The bill—

H. B. 743. In execution of the powers of the State of Alabama in relation to the lands granted to this State, which are within fifteen miles from and on each side of the line of the railroad heretofore known as the Alabama and Chattanooga Railroad, by the act of Congress of June 3d, 1856, entitled an act granting public lands, in alternate sections, to the State of Alabama to aid in the construction of certain railroads in said State, and the act of Congress of April 10th, 1869, entitled an act to renew certain grants of land to the State of Alabama;

Was taken up, and the pending amendment was adopted, as follows:

Amend by adding the word "fully," after the word "never," where it occurs in line 1 of 3d preamble.

The bill was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Griffin, Hargrove, Jones, McClellan, Norman, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Ware—20.

Eighth.

The bill—
s. 212. To amend section 2088 of the Code;
Was taken up, and the Senate refused to reconsider the vote by which it was indefinitely postponed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 19, 1883.

Mr. President :

The House has concurred in the Senate
Joint resolution relative to the bonds of the warden of the penitentiary or other State officers.

And has concurred in the 1st, 4th, 6th, 8th, 9th, 10th, 11th, 13th and 14th Senate amendments to the House substitute for the bill—

s. 144. To regulate the hiring and treatment of State and county convicts ;

And has non-concurred in the 2d, 3d, 7th and 12th Senate amendments to the same ; and has amended, and, as amended, has concurred in the 5th Senate amendment thereto.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

On motion of Mr. Troy, the Senate insisted on its amendments to the House substitute for the bill—

s. 144. To regulate the hiring and treatment of State and county convicts ;

And a committee of conference was requested thereon.

The President appointed on said committee on the part of the Senate—

Messrs. Troy, Jones, and Brooks of Macon.

ENROLLED BILLS.

Mr. Orr, from committee on enrolled bills, reported the following bills correctly enrolled :

s. 234. To require persons whose claims against Sumter county have been allowed by the commissioners court thereof against the general fund of said county, to draw their warrants for the amount within six months.

s. 309. To incorporate the district of Opelika, and to provide for the government thereof.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 19, 1883.

Mr. President:

The Speaker of the House having signed the following bills, your signature thereto is requested, viz :

H. B. 64. To repeal an act entitled an act for the protection of fish in Baldwin county, approved February 3d, 1881 ;

H. B. 707. For the relief of Oliver M. Smith, late tax collector of Jefferson county ;

H. B. 307. To incorporate the Talladega Real Estate and Loan Association ;

H. B. 482. To incorporate the Home Real Estate and Loan Company of Selma, Alabama ;

H. B. 590. To appropriate the sum of seven thousand five hundred dollars to be expended in the making of necessary repairs upon the building belonging to the State of Alabama, located at Mobile, and known as the Medical College of Alabama ;

H. B. 11. To repeal an act of the General Assembly of Alabama, approved December 8, 1880, to prohibit the sale, giving, distilling, or otherwise disposing of intoxicating beverages in Crenshaw county ;

H. B. 250. To authorize and empower the corporate authorities of the town of Anniston to levy and collect license taxes upon all occupations and avocations that may be carried on within the corporate limits of said town ;

H. B. 642. To repeal an act to prohibit the sale and giving away of whisky or other intoxicating liquors within six miles

of the Baptist church, in the village of McKinley, in Marengo county ;

H. B. 495. To prevent the violation or evasion of prohibition laws, and of the law requiring license to sell vinous, spirituous, or malt liquors ;

H. B. 376. To prohibit the sale, giving away or other disposition of spirituous, vinous or malt liquors, except in certain cases, in Perryville beat, Perry county ;

H. B. 561. To authorize the court of county commissioners of Conecuh county to issue the bonds of said county for an amount not exceeding seven thousand five hundred dollars, for the purpose of building a court house in said county ;

H. B. 699. To prevent the sale or giving away of vinous, spirituous or malt liquors or other intoxicating beverages, within the county of Choctaw, except by regularly licensed physicians, and to provide penalties for the violation thereof ;

H. B. 232. To regulate the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or other intoxicating beverages in the county of Pickens ;

H. B. 788. To carry into effect any plan, or scheme for the compromise, adjustment and settlement of the existing indebtedness of the late corporation known as the City of Selma, which may be agreed upon between the creditors of said city of Selma and the commissioners of the city of Selma, appointed under and by virtue of an act to vacate and annul the charter and dissolve the corporation of the City of Selma, and to provide for the application of the assets thereof to the payment of the debts thereof, approved December 11, 1882.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing House message and report of the enrolling committee.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 19, 1883.

Mr. President :

The House has originated and passed the following bills :

H. B. 725. To provide for the compensation of sheriffs for the removal of prisoners when arrested under attachment for contempt.

H. B. 724. To compensate sheriffs for feeding prisoners after they are sentenced to be confined in the penitentiary.

H. B. 683. To amend sub-division K of section 5030 of the Code, in relation to the fees of judges of probate.

H. B. 524. To fix the fees of justices of the peace in Butler county.

H. B. 811. To require the Governor to have made or purchase for the use of the State a fire-proof safe for the deposit of State securities and other funds of the State, under regulations herein required.

H. B. 665. To amend sections 3, 4 and 6 of an act to regulate the fine and forfeiture fund of certain counties, approved February 13, 1879, so far as the same applies to Bullock county.

H. B. 920. To amend section 1 of an act to regulate the compensation of sheriffs for the removal of prisoners, approved March 1, 1881.

H. B. 451. To amend section 4773 of the Code.

H. B. 633. For the relief of Wm. J. Rountree, sheriff of Dallas county.

H. B. 873. To authorize the court of county commissioners of Hale county to furnish tools for working the public roads.

H. B. 799. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages, at or within certain localities in this State hereinafter designated, to-wit: At or within the bounds of Pleasant Site Beat, in Franklin county, Alabama; and at or within five miles of the railway station house at Beaver Meadow in the county of Mobile; and at or within three miles of Harmony church in Blount county; and at or within two miles of Victoria church, in Coffee county; and at or within six miles of Beulah Academy, in Beat No. 1, Lee county; and at or within six miles of Octagon church, in Marengo county; and at or within two miles of Shiloh church, in Blount county; and at or within a radius of three miles of Cowikee Baptist church, and one and one-half miles of Providence Methodist church, in Barbour county; and at or within three miles of Sandy Point church, in Barbour county; and in Mount Meigs beat, in Montgomery county; and in that portion of Shelby county lying west of a line one

mile east of west line of range 3, west, in township 22-21, and that portion of township south, which lies south of the Cahaba river; and in District No. 4 in Washington county; and at or within two miles of Shady Grove church and school-house, in Pike county (except in Linwood); and at or within three miles of Liberty church, in Madison county; and at or within $3\frac{1}{2}$ miles of Asbury church, in beat No. 8, in Calhoun county; and at or within four miles of White Plains Academy, in Chambers county; and at or within beat No. 4, Shelby county; and at or within four miles of Deatsville, Elmore county; and at or within four miles of Mt. Zion, Providence, and Fair Prospect churches, in beat No. 8, and Mt. Lebanon church, beat No. 14, in Montgomery county; and at or within township 12, range 18, in Montgomery county; and at or within five miles of Scott's Station post-office, in Perry county; and at or within two miles of Whistler, in Mobile county; and at or within Pence's beat, Plantersville beat, Woodlawn beat, and within township 13 of range 11, and within five miles of Liberty church, and within five miles of Minter Station, Dallas county, and Mount Pleasant Baptist church, Richard's beat, Barbour county.

H. B. 745. For the relief of maimed or disabled soldiers.

H. B. 613. To fix the fees of the circuit clerks of Bullock and Tuscaloosa counties in civil cases.

H. B. 321. To regulate the fine and forfeiture fund of Chilton county.

H. B. 87. To fix the fees of justices of the peace and constables in the port and county of Mobile, and Calhoun and Dallas counties.

H. B. 476. To provide additional compensation for the sheriff of Baldwin county.

H. B. 324. To prohibit the running of railroad trains for the transportation of freight, or excursion trains on Sunday.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set out in the foregoing House message, were severally read a first time and ordered to a second reading.

BILLS ON SECOND READING.

The bills—

H. B. 884. To provide for the prosecution of misdemeanants in the county court of Marengo county.

H. B. 900. To relieve Albert Roman, a citizen of Barbour county, of his legal disabilities.

H. B. 503. To better enforce the working of the public roads in the counties of Montgomery and Hale.

H. B. 906. To punish persons constructing or repairing railroads who throw timber or other obstructions into or across streams and culverts.

H. B. 912. To provide a fund for the support of the supreme court library without appropriations from the treasury.

H. B. 883. To amend an act to prescribe the manner in which claims against the fine and forfeiture fund of Macon county shall be paid.

H. B. 759. To amend section 794 of the Code of Alabama.

Were severally read a second time and referred to the judiciary committee.

The bills—

H. B. 868. To amend sections six (6) and fourteen (14) of an act entitled "An act to incorporate the town of Ozark, in the county of Dale," approved March 19, 1873.

H. B. 797. To amend sections 3, 4, 8 and 11 of an act to incorporate the city of Greenville, approved March 9, 1871.

H. B. 585. To incorporate the town of Browneville.

Were severally read a second time and referred to the committee on municipal and county organizations.

The bill—

H. B. 255. To amend section 1630 of the Code, so far as the same relates to Jefferson county, and otherwise regulate the working of the public roads in said county;

Was read a second time and referred to the committee on internal improvements.

The bill—

H. B. 480. To authorize the Auditor to restate the accounts of J. L. Rapier & Co., and for the payment of any balance which may be found due from the State.

Was read a second time and referred to the committee on printing.

The bill—

H. B. 796. To repeal section six (6) of an act entitled "An act to regulate the fine and forfeiture fund of certain counties," approved February 13, 1879, so far as Blount county is concerned ;

Was read a second time and referred to the committee on revision of laws.

The bills—

s. 417. To provide the time of payment of any additional appropriation which has been or may be made for the public schools at the present session of the General Assembly ;

H. B. 623. To authorize and empower the commissioners court of Calhoun and Jefferson counties to allow increased pay to the circuit clerk for his services ;

Were severally read a second time and referred to the committee on finance.

The bill—

H. B. 747. To amend section 37 of an act entitled "An act for the organization and discipline of the volunteer forces of Alabama," approved March 1, 1880 ;

Was read a second time and referred to the military committee.

The bills—

H. B. 712. To amend an act to secure the keeping in repair and of closing gates erected across public roads.

H. B. 455. To amend section 5027 of the Code, so far as the same relates to the county of Butler.

H. B. 399. To prohibit the running of logs or timber without clamping or binding the same, during the season of high waters, in the stream of Burnt Corn and its tributaries, in the counties of Conecuh and Escambia.

Were severally read a second time and referred to the committee on industrial resources.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., February 19, 1883.

Mr. President :

The Governor has approved the following bills, which originated in the Senate.

s. 77. To provide for the collection of taxes in the counties of Lee, Chambers, Randolph, Tallapoosa and Pickens.

s. 124. To amend an act to revive and complete the geological and agricultural survey of the State of Alabama.

s. 308. To vacate and annul the charter and dissolve the corporation of the city of Opelika, and to provide for the application of the assets thereof, in discharge of the debts of the corporation.

W. G. HUTCHESON,
Recording Secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 19, 1883.

Mr. President :

The House accedes to the request of the Senate for a committee of conference on the bill—

s. 144. To regulate the hiring and treatment of State and county convicts.

Committee on the part of the House—

Messrs. Wood, Hamilton and Dowling.

D. W. McIVER, Clerk.

REPORTS FROM COMMITTEES.

By leave, Mr. Titcomb, from the committee on local legislation, reported favorably the bill—

s. 415. To make the fund arising from the hire of convicts in Chambers county part of the fine and forfeiture fund in said county ;

Which was read a third time and passed—yeas 28, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Ware—28.

Mr. Billups, from the committee on temperance, reported favorably the bill—

H. B. 46. To prevent the sale, giving away, or otherwise disposing of vinous, spirituous or malt liquors, or intoxicating bitters or beverages, by whatsoever name designated, within three miles of any coaling ground, coal mine, ore mine,

factory, furnace or rolling mill, in beats No. 1, 2 and 3, and of Hillmon's mines, in beat No. 9, and of Woodward's coal mines, in Bethlehem beat, in Jefferson county;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Mobile, Brown, Davidson, Farnham, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Smith, Street, Titcomb, Troy, Ware—23.

Mr. Titcomb, from the committee on local legislation, reported favorably the bill—

H. B. 375. To require the courts of county commissioners of Conecuh and Monroe counties to provide for working the Old Federal Road, the boundary line between said counties;

Which was read a third time and passed—yeas 19, nays 0.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brown, Farnham, Griffin, Hargrove, Jones, McClellan, Mitchell, McSpadden, Norman, Orr, Pate, Seay, Street, Titcomb, Ware—19.

Mr. Mitchell, from the committee on revision of laws, reported favorably the bill—

s. 325. To amend section three (3) of an act to provide for the official declaration of election of certain officers in this State, and to prescribe the time in which official bonds shall be given, approved 10th February, 1881;

Which was read a third time and passed—yeas 19, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brown, Davidson, Farnham, Gardner, Grant, Hargrove, Jones, Luckie, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Street—19.

By leave, Mr. Brewer, from the committee on internal improvements, reported favorably the bill—

H. B. 101. To incorporate the Coosa Mining and Manufacturing Company;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. Billups, Bowles, Brewer, Brooks of Macon, Brown, Farnham, Gardner, Grant, Hargrove, Jones, Luckie, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Street, Titcomb, Ware—20.

On motion of Mr. Brooks of Mobile, the finance committee was instructed to report the general revenue bill to-morrow at 10 o'clock;

And said bill was made a special order for that hour.

RECESS.

At 2 p. m., the Senate took a recess till 4 p. m.

AFTERNOON SESSION.

The Senate re-assembled at 4 p. m.

A quorum present.

REPORTS OF STANDING COMMITTEES.

Mr. Rushing, from the committee on printing, reported favorably the bill—

s. 404. To punish any person who discharges fire-arms of any description within two hundred yards of any point on the Bay shell road, in Mobile county;

Which was read a third time and passed—yeas 19, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Farnham, Grant, Griffin, Hargrove, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Street, Titcomb—19.

Mr. Billups, from the committee on temperance, reported favorably, the bill—

s. 267. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters, at or within a half mile of the Tuscaloosa depot of the Alabama Great Southern Railroad, in Tuscaloosa county;

Which was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb—21.

Also, favorably, the bill—

s. 347. To prohibit the manufacture or sale, or other disposition of vinous, spirituous, malt or other intoxicating liquors, within the limits of the State of Alabama;

Which, on motion of Mr. Davidson, was indefinitely postponed—yeas 16, nays 13.

Yeas—Messrs. President, Brooks of Mobile, Davidson,

Gardner, Griffin, Jackson, Luckie, McClellan, Mitchell, Norman, Seay, Shelby, Smith, Troy, Ware—16.

Nays—Messrs. Billups, Brewer, Brown, Farnham, Hargrove, Jones, Moorman, McSpadden, Orr, Pate, Rushing, Street, Titcomb—13.

Also, favorably, the bill—

s. 312. To amend section 1544 of the Code, so far as the same relates to Childersburg, in Talladega county ;

Which was read a third time and passed—yeas 21, nays 2.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Griffin, Hargrove, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Ware—21.

Messrs. Davidson and Shelby voted no.

Also, favorably, the bill—

s. 366. To prohibit the sale, giving away or otherwise disposing of intoxicating beverages within five miles of Hurricane bayou, in the county of Baldwin ;

Which was read a third time and passed—yeas 26, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Ware—26.

Also, favorably, the bill—

s. 289. To prohibit the sale of vinous, spirituous or malt liquors within three miles of Mount Pleasant church, in Barbour county, Alabama ;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb—23.

Mr. Hargrove, from the judiciary committee, reported favorably, the bill—

s. 243. To amend section 4990 of the Code ;

Which was read a third time and passed—yeas 27, nays 2.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—27.

Messrs. Jackson and Shelby voted no.

Also, favorably, with an amendment, the bill—

s. 172. To protect the railroads of this State—from trespasses.

The amendment was adopted, as follows :

Amend by adding to 1st section :

“Provided, That nothing herein contained shall prevent any person from crossing directly any railroad track at his convenience.”

The bill was read a third time and lost—yeas 8, nays 21.

Yeas—Messrs. President, Billups, Griffin, Jones, Luckie, Norman, Seay, Troy—8.

Nays—Messrs. Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Hargrove, Jackson, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Ware—22.

Also, a substitute for the bill—

s. 178. To require railroad companies and persons operating railroads in this State, to give proper receipts to shippers and consignees of freight.

The substitute was adopted.

The bill was read a third time and passed—yeas 29, nays 0.

Yeas—Messrs. Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—29.

Also, favorably, with an amendment, the bill—

s. 171. To authorize the conductor of a train to put off a passenger and his baggage, when such passenger refuses to pay his fare.

The amendment was adopted, as follows :

Amend by striking out the words “the next regular station reached by the train,” and inserting in lieu thereof the words “any points where it can be done.”

Also, strike out the words “of fifteen years of age.”

The bill was read a third time and passed—yeas 26, nays 1.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Smith, Street, Thomas, Titcomb, Troy, Ware—26.

Mr. Jackson voted no.

Also, a substitute for the bill—

s. 167. To protect passengers from drunk and disorderly persons while travelling on railroad cars.

The substitute was adopted.

The bill was read a third time and passed—yeas 25, nays 2.

Yeas—Messrs. Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Farnham, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, McSpadden, Norman, Orr, Pate, Rushing, Seay, Smith, Street, Thomas, Titcomb, Troy, Ware—25.

Messrs. Davidson and Gardner voted no.

Also, a substitute for the bill—

s. 295. To provide for the comfort and accommodation of passengers at each of the depots along the line of every railroad operated by any railroad company, or person in this State.

The substitute was adopted, with caption as follows:

s. 295. To provide for the comfort and accommodation of passengers at each of the passenger depots along the line of every railroad company, or person in this State.

The bill was read a third time and passed—yeas 23, nays 2.

Yeas—Messrs. Bowles, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Mitchell, Moorman, McSpadden, Orr, Pate, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—23.

Messrs. Billups and Brewer voted no.

Also, adversely, the bill—

s. 296. To provide for the adjustment of short freights and damaged goods before any collection is made of freight charges on such short freights and damaged goods, by any railroad company or person operating a railroad in this State.

The adverse report was non-concurred in.

On motion of Mr. Troy, the bill was recommitted to a special committee, consisting of Messrs. Seay and Farnham, with instructions to report to-morrow, immediately after the consideration of the revenue bill.

Also, favorably, the bill—

s. 283. To prevent drunkenness by persons holding office under the laws of Alabama or for any county thereof;

Which was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. Billups, Bowles, Brooks of Mobile, Brown, Farnham, Grant, Griffin, Hargrove, Jones, Mitchell, Moor-

man, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—24.

Also, favorably, the bill—

s. 243. To authorize a subscription by the State to the third volume of Brickell's Digest of Alabama Reports;

Which was read a third time and passed—yeas 20, nays 1.

Yeas—Messrs. Bowles, Brewer, Brooks of Mobile, Davidson, Farnham, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Seay, Smith, Street, Thomas, Titcomb, Troy—20.

Mr. Rushing voted no.

Also, favorably, the bill—

s. 66. To amend section 4355 of the Code;

Which was read a third time and passed—yeas 20, nays 5.

Yeas—Messrs. President, Billups, Bowles, Brooks of Mobile, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Norman, Seay, Smith, Street, Titcomb, Troy, Ware—20.

Messrs. Brown, Grant, Jackson, Orr, and Shelby voted no.

Also, favorably, the bill—

s. 349. To authorize the judges of the circuit, city, and supreme courts and chancellors to suggest amendments and additions to the statute laws of this State;

Which was read a third time and passed—yeas 18, nays 3.

Yeas—Messrs. President, Billups, Bowles, Brewer, Davidson, Farnham, Grant, Griffin, Hargrove, Jones, Norman, Orr, Seay, Shelby, Smith, Street, Troy, Ware—18.

Messrs. Brooks, of Mobile, Gardner, and McSpadden voted no.

Also, favorably, the bill—

s. 390. To authorize chancellors to amend errors and mistakes in final decrees;

Which, on motion of Mr. Troy, was postponed and made a special order for to-morrow.

Also, favorably, the bill—

s. 280. To require the clerk of the Board of Revenue of Montgomery county to give bond;

Which was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy, Ware—25.

MOTION TO ADJOURN.

Mr. Pate moved to adjourn. Lost.

Yeas—Messrs. Brooks of Mobile, Brown, Gardner, Grant, Mitchell, McSpadden, Norman, Pate, Rushing, Smith, Titcomb—11.

Nays—Messrs. Bowles, Davidson, Farnham, Hargrove, Moorman, Orr, Seay, Shelby, Street, Troy, Ware—11.

REPORTS OF COMMITTEES.

Mr. Hargrove, from same committee, reported a substitute for the bill—

s. 395. To prevent the use of buildings for keeping or exhibiting gaming tables.

The substitute was adopted.

The bill was read a third time and passed—yeas 22, nays 1.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Davidson, Grant, Griffin, Hargrove, Jones, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—22.

Mr. Shelby voted no.

Also, favorably, the bill—

s. 396. To amend section 2131 of the Code, declaring gaming contracts void;

Which was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—22.

Also, favorably, the bill—

s. 368. To amend section nine (9) of an act entitled an act to provide for the regulation of railroad companies and persons operating railroads in this State, approved February 26, 1881;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Billups, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Hargrove, Jones, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—20.

Mr. Smith, from the committee on municipal and county organizations, reported favorably the bill—

s. 397. To amend sections 5, 7, 13, 17, 31, 37, 38 and 40

of an act to establish a new city charter for Eufaula, approved February 28, 1870;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Davidson, Farnham, Grant, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Orr, Rushing, Seay, Smith, Titcomb, Troy, Ware—20.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 19, 1883.

Mr. President:

The House has originated and passed the following bills:

H. B. 905. To amend section 573 of the Code.

H. B. 660. To declare the legal obligation of sureties on official bonds.

H. B. 746. To amend sub-division 3 of section 109 of the Code.

H. B. 854. To authorize the Governor to employ an expert accountant to audit and examine the books, accounts and vouchers of all public officers who receive or pay out any of the public funds.

H. B. 908. To amend section seventy (70) of the Code.

H. B. 718. To amend sections 4346, 4347, 4348 and 4349 of the Code.

H. B. 416. To protect *bona fide* purchasers of property in certain cases.

H. B. 499. To compel butchers to keep a record of the marks and brands on all stock of any description by them slaughtered for sale.

H. B. 424. For the relief of W. K. McConnell, late tax collector of Dallas county.

H. B. 148. To render competent as witnesses in the courts of this State certain persons.

H. B. 299. To incorporate the Grand Lodge of Knights of Pythias of the State of Alabama and the subordinate lodges under its jurisdiction.

H. B. 599. To regulate the collecting of debts secured by pledge of personal property or securities by sale of the property, or securities, so in pledge.

H. B. 353. To repeal sections 518, 519, 520 and 521 of the Code.

H. B. 176. To amend an act entitled an act to amend section 4205 of the Code, approved Feb. 26, 1881.

H. B. 910. To repeal section 2126 of the Code of Alabama.

H. B. 462. To amend section 4446 of the Code.

H. B. 438. To make thanksgiving days legal holidays in the counties of Montgomery and Dallas.

H. B. 364. To amend section 2247 of the Code of Alabama.

And ordered the same forthwith to the Senate without engrossment.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set out in the foregoing House message, were severally read a first time and ordered to a second reading.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
Montgomery, February 19, 1883.

Mr. President :

The Governor has approved the following bills which originated in the Senate :

s. 234. To require persons whose claims against Sumter county have been allowed by the commissioners court thereof, against the general fund of said county, to draw their warrants for the amount within six months.

s. 309. To incorporate the District of Opelika and to provide for the government thereof.

I am also directed by the Governor to communicate to the Senate a message in writing.

W. G. HUTCHESON,
Recording Secretary.

The Governor's message in writing was read, as follows :

MONTGOMERY, ALA., February 19, 1883.

To the Senate and House of Representatives :

In response to the joint resolution of the two houses, of this date, I respectfully inform you that the Warden of the

penitentiary has no official bond filed and recorded in the office of the State Auditor, as required by section 4535 of the Code. The Warden claims that before entering upon his duties he made such bond, and that it was approved by the Governor. It is proper, also, to say, that the Warden, learning that his bond was not on file, and was not recorded in the proper office, first informed me of the fact. He was at once required to substitute for the missing bond a new bond covering the entire period of his administration; and a reasonable time was given him in which to do this. No other State official is performing the duties of his office without the bond required by law.

E. A. O'NEAL, Governor.

On motion of Mr. Seay the Governor's message was read and tabled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 19, 1883.

Mr. President:

The House has concurred in the Senate amendment to the bill—

H. B. 743. In execution of the powers of the State of Alabama in relation to the lands granted to this State which are within fifteen miles from and on each side of the line of the railroad heretofore known as the Alabama and Chattanooga Railroad by act of Congress of June 3, 1856, entitled an act granting public lands in alternate sections to the State of Alabama to aid in the construction of certain railroads in said State, and the act of Congress of April 10, 1869, entitled an act to renew certain grants of land to the State of Alabama.

D. W. McIVER, Clerk.

REPORTS OF COMMITTEES.

Mr. Troy, from the judiciary committee, reported favorably the bill—

s. 219. To amend section 4373 of the Code;

Which was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Davidson, Farnham, Grant, Griffin, Hargrove, Jones,

Mitchell, Moorman, McSpadden, Norman, Orr, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—22.

Also, favorably, the bill—

s. 361. To fix the compensation of sheriffs for attending chancery courts in this State ;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Farnham, Grant, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Norman, Orr, Seay, Smith, Street, Titcomb, Troy, Ware—20.

Also, favorably, the bill—

s. 413. To amend an act to amend section 4203 of the Code, approved March 1, 1881.

Which was read a third time and passed—yeas 20, nays 1.

Yeas—Messrs. President, Billups, Brooks of Macon, Farnham, Grant, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Norman, Orr, Seay, Smith, Street, Titcomb, Troy, Ware—20.

Mr. Shelby voted "no."

Also, favorably the bill—

s. 350. To amend section 3656 of the Code ;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Billups, Brooks of Macon, Davidson, Farnham, Grant, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Orr, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware.—20.

Also, favorably, with an amendment, the bill—

s. 367. To amend sections 1, 2, and 3, of an act to authorize the commissioner's court, or court or board, of county revenue of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry to establish, or abolish, districts in which stock may be prevented from running at large, approved February 28, 1881.

The amendment was adopted, as follows :

Amend by striking out "Montgomery county."

The bill was read a third time and passed—yeas 19, nays 1.

Yeas—Messrs. President, Bowles, Brooks of Macon, Farnham, Grant, Griffin, Hargrove, Jones, Mitchell, McSpadden, Norman, Orr, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—19.

Mr. Davidson voted "no."

All Senate bills passed to-day were ordered to the House forthwith without engrossment.

ADJOURNMENT.

At 7:50 o'clock p. m., on motion of Mr. Smith, the Senate adjourned.

FORTY-EIGHTH DAY.

TUESDAY, February 20, 1883.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Howell, of Cleburne.

Present—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Farnham, Gardner, Griffin, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden Norman, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy, Ware—24.

The journal of yesterday was read and approved.

SPECIAL ORDER.

The Senate proceeded to consider the bill—

H. B. 711. To alter and amend the charter of the city of Huntsville as established by an act approved March the 3d, 1870, entitled an act to establish a new charter for the city of Huntsville, and an act approved February 17, 1871, entitled an act to amend an act to establish a new charter for the city of Huntsville.

Mr. Shelby offered the following amendment:

Amend by adding after last line—

Provided, This act shall not take effect till ratified by a majority of the qualified voters, voting at the next election for Mayor and Aldermen, to be held in Huntsville on the first Tuesday in April, 1883. Each voter at said election may write or print on his ballot, "for amendment," or "against amendment;" and the inspectors holding said election shall count the ballots so endorsed and announce the result; and, if a majority of such voters vote for the amendment, it shall, then take effect and govern all subsequent elections for Mayor and Aldermen.

The amendmet was lost—yeas 3, nays 16.

Yeas—Messrs. Jackson, Moorman and Shelby—3.

Nays—Messrs. President, Billups, Bowles, Gardner, Grant, Griffin, Hargrove, McClellan, Mitchell, Norman, Oden, Orr, Rushing, Smith, Street, Ware—16.

Mr. Shelby moved to amend by striking out section 1 of the bill.

Lost—yeas 3, nays 20.

Yeas—Messrs. Brooks of Mobile, Jackson, Shelby—3.

Nays—Messrs. Bowles, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Luckie, McClellan, Mitchell, McSpadden, Norman, Oden, Rushing, Seay, Smith, Street, Titcomb, Ware—20.

Mr. Shelby offered the following amendment :

Add after the last line of section 1: "But the board of mayor and aldermen of said city may alter and change the boundaries of said wards as they may deem expedient."

Lost—yeas 8, nays 17.

Yeas—Messrs. Jackson, Mitchell, Moorman, McSpadden, Seay, Shelby, Smith, Thomas—8.

Nays—Messrs. Billups, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Luckie, McClellan, Norman, Oden, Rushing, Street, Titcomb, Ware—17.

Mr. Shelby offered the following amendment :

Provided, This act shall not take effect until a majority of the freeholders who are legal voters shall have signed, in the presence of the mayor or some justice of the peace of the town, a written statement requesting the redresses contemplated by this act; and after a majority of the said freeholders have signed such request, all subsequent elections shall be held under this act.

On motion of Mr. Titcomb, the amendment was tabled—yeas 17, nays 5.

Yeas—Messrs. Billups, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Luckie, McClellan, Mitchell, McSpadden, Oden, Rushing, Seay, Street, Titcomb, Ware—17.

Nays—Messrs. Hargrove, Jackson, Moorman, Shelby, Thomas—5.

The bill was read a third time, and passed—yeas 25, nays 2.

Present—Messrs. President, Billups, Bowles, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin,

Hargrove, Luckie, McClellan, Mitchell, McSpadden, Norman, Oden, Orr, Rushing, Seay, Smith, Street, Thomas, Titcomb, Ware—25.

Messrs. Jackson and Shelby voted no.

REPORTS OF COMMITTEES.

By leave, Mr. Billups, from the committee on temperance, reported favorably, with amendments, the bill—

H. B. 773. To authorize an election to prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters in the county of Lee.

The amendments were adopted, as follows :

(1)

Amend the caption by inserting the words "for gain or recompense," at the end of 2d line thereof.

(2)

Amend by striking out the words "or within two weeks next preceding said election," where they occur in the 7th section.

(3)

Amend by adding at the end of section 8 the words "or the use of the same by any one for social or medicinal purposes at his own house or private residence, or to members of his own family."

(4)

Amend by striking out, in the 9th section, the words "in any one year, and no such election shall," and insert in lieu thereof the words "nor shall the same."

(5)

Amend by striking out all of the 9th section after the word "offices," on the 4th line of said section.

(6)

Amend by striking out the words "thirty days from the first publication of said result," and insert in lieu thereof the words "the calendar year in which said election may be held," in the 5th section.

Mr. Harrison (Mr. Oden presiding) offered the following amendment :

(7)

Amend by adding at the end of the bill the following words :

"*Provided*, That nothing in this act shall prevent any person from selling wine in quantities not less than one gallon, made from grapes raised on his own premises."

Adopted.

The bill was read a third time and passed—yeas 23, nays 1.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Grant, Griffin, Hargrove, Luckie, McClellan, Mitchell, McSpadden, Norman, Oden, Orr, Pate, Seay, Smith, Street, Thomas, Ware—23.

Mr. Billups voted no.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 20, 1883.

Mr. President :

The Speaker of the House having signed the following bills, your signature thereto is requested, viz :

H. B. 596. To regulate the mode of selecting, drawing and impanneling grand and petit jurors in the county of Mobile.

H. B. 101. To incorporate the Coosa Mining and Manufacturing Company.

H. B. 46. To prevent the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, or intoxicating bitters (or beverages), by whatsoever name designated, within three miles of any coaling ground, coal mine, ore mine, factory, furnace or rolling mill, in beats 1, 2 and 3, and of Hillman's mines, in beat 9; and of Woodward's coal mines, in Bethlehem beat, in Jefferson county.

H. B. 743. In execution of the powers of the State of Alabama in relation to the lands granted to this State, which are within fifteen miles from and on each side of the line of the railroad heretofore known as the Alabama and Chattanooga Railroad, by the act of Congress of June 3d, 1856, entitled an act granting public lands, in alternate sections, to the State of Alabama to aid in the construction of certain railroads in said State, and the act of Congress of April 10th,

1869, entitled an act to renew certain grants of land to the State of Alabama.

H. B. 375. To require the courts of county commissioners of Conecuh and Monroe counties to provide for working the Old Federal Road, the boundary line between said counties.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing House message.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 20, 1883.

Mr. President :

The House has originated and passed the following bills :

H. B. 749. To regulate the trial of misdemeanors in the county of Bibb.

H. B. 750. To provide for the speedy trial of persons charged with misdemeanors in the county of Bibb.

H. B. 752. To regulate the fees of circuit solicitors in county courts.

H. B. 59. To incorporate the East Alabama Mining and Manufacturing Company.

H. B. 644. To amend section 3893 of the Code.

And ordered the same forthwith to the Senate.

And has concurred in the Senate amendments to the bill—

H. B. 773. To authorize an election to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, in the county of Lee.

The House has also originated and passed the bills—

H. B. 218. To amend section 2461 of the Code.

H. B. 180. To amend an act entitled "An act to amend section 3524 of the Code," approved January 17, 1879.

H. B. 713. To repeal an act to amend section 5030 of the Code.

H. B. 703. To amend section 4840 of the Code.

H. B. 444. To protect persons dealing with minors carrying on business.

H. B. 234. To amend an act entitled "An act to amend section 4358 of the Code," approved November 26, 1880.

H. B. 611. To amend section 2252 of the Code of Alabama.

H. B. 106. To provide for the protection of domestic animals against poison.

H. B. 926. To secure the payment of money due for the hire of county convicts.

H. B. 253. To protect the rights of tenants for years, or for life, and of remaindermen in money coming into the hands of probate judges of this State.

H. B. 458. To amend section 4359 of the Code.

H. B. 645. To amend section 3219 of the Code.

H. B. 516. To amend section 712 of the Code.

H. B. 470. To prohibit the selling or giving, or otherwise disposing of intoxicating liquors to intemperate persons or habitual drunkards, after notice.

H. B. 322. To repeal an act entitled "An act to repeal section 1374 of the Revised Code, so far as it relates to the counties of Dale, Jackson and Conecuh," approved February 23, 1875, so far as the same relates to the county of Conecuh.

H. B. 310. To amend section 2251 of the Code.

H. B. 540. To confer police powers upon the conductors of passenger trains in this State, to provide a punishment for a neglect of their official duties, and for other purposes.

And ordered the same forthwith to the Senate.

And has concurred in the Senate amendments to the bill—

H. B. 577. In aid of the exercise of the power of disposal conferred on the Legislature of Alabama by the act of Congress of June 3d, 1856, entitled "An act granting public lands in alternate sections to the State of Alabama to aid in the construction of certain railroads in said State."

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set out in the foregoing House message, were severally read a first time and ordered to a second reading.

BILLS ON SECOND READING.

The bills—

H. B. 424. For the relief of William K. McConnell, late tax collector of Dallas county ;

H. B. 854. To authorize the Governor to employ an expert accountant to audit and examine the books, accounts and vouchers of all public officers, who receive or pay out any of the public funds ;

H. B. 353. To repeal sections 518, 519, 520 and 521, of the Code of Alabama ;

H. B. 811. To require the Governor to have made or purchase for the use of the State a fire-proof safe for the deposit of State securities, and other funds of the State under regulations herein required ;

H. B. 755. For the relief of maimed or disabled soldiers ;

Were severally read a second time and referred to the committee on finance.

The bills—

H. B. 908. To amend section seventy (70) of the Code ;

H. B. 665. To amend sections 3, 4 and 6, of an act entitled an act to regulate the fine and forfeiture fund of certain counties, approved February 15, 1879, so far as the same applies to Bullock county ;

H. B. 683. To amend sub-division K, of section 5030 of the Code in relation to the fees of judges of probate ;

H. B. 499. To compel butchers to keep a record of the marks and brands on all stock of every description by them slaughtered for sale ;

H. B. 321. To regulate the fine and forfeiture fund of Chilton county ;

Were severally read a second time and referred to the committee on revision of laws.

The bills—

H. B. 438. To make thanksgiving days legal holidays in the counties of Montgomery and Dallas ;

H. B. 324. To prohibit the running of railroad trains for the transportation of freight, or excursion trains on Sunday ;

Were severally read a second time and referred to the committee on internal improvements.

The bills—

H. B. 724. To compensate sheriffs for feeding prisoners after they are sentenced to be confined in the penitentiary ;

H. B. 725. To provide for the compensation of sheriffs for the removal of prisoners when arrested under attachments for contempt ;

H. B. 920. To amend section one of an act to regulate the compensation of sheriffs for the removal of prisoners, approved March 1st, 1881 ;

Were severally read a second time and referred to the committee on the penitentiary.

The bill—

H. B. 524. To fix the fees of justices of the peace in Butler county ;

Was read a second time and referred to the committee on municipal and county organizations.

The bills—

H. B. 299. To incorporate the Grand Lodge of Knights of Pythias of the State of Alabama, and the subordinate lodges under its jurisdiction ;

H. B. 476. To provide additional compensation for the sheriff of Baldwin county ;

H. B. 87. To fix the fees of justices of the peace and constables in the port and county of Mobile, and Calhoun and Dallas counties ;

H. B. 873. To authorize the court of county commissioners of Hale county to furnish tools for working the public roads ;

H. B. 633. For the relief of Wm. J. Rountree, sheriff of Dallas county ;

Were severally read a second time and referred to the committee on local legislation.

The bills—

H. B. 599. To regulate the collection of debts secured by a pledge of personal property or securities, by sale of the property or securities in pledge ;

H. B. 364. To amend section 2247 of the Code of Alabama ;

H. B. 462. To amend section 4446 of the Code ;

H. B. 910. To repeal section 2126 of the Code of Alabama ;

H. B. 416. To protect *bona fide* purchasers of property in certain cases ;

H. B. 718. To amend sections 4346, 4347, 4348, 4349, of the Code ;

H. B. 905. To amend section 573 of the Code ;

H. B. 660. To declare the legal obligation of sureties on official bonds ;

H. B. 148. To render competent as witnesses in the courts of this State certain persons;

H. B. 746. To amend sub-division 3, of section 109 of the Code;

H. B. 451. To amend section 4773 of the Code;

H. B. 613. To fix the fees of the circuit clerk of Bullock and Tuscaloosa counties in civil cases;

H. B. 176. To amend an act entitled an act to amend section 4205 of the Code, approved February 26, 1881;

Were severally read a second time and referred to the judiciary committee.

The bill—

H. B. 779. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages, at or within certain localities in this State hereinafter designated, to-wit: At or within the bounds of Pleasant Site beat, in Franklin county, Alabama; and at or within five miles of the railway station house at Beaver Meadow, in the county of Mobile; and at or within three miles of Harmony church, in Blount county; and at or within two miles of Victoria church, in Coffee county; and at or within six miles of Beulah academy, in beat No. 1, Lee county; and at or within six miles of Octagon church, in Marengo county; and at or within two miles of Shiloh church, in Blount county; and at or within a radius of three miles of Cowikee Baptist church, and one and one-half miles of Providence Methodist church, in Barbour county; and at or within three miles of Sandy Point church, in Barbour county; and in Mount Meigs beat, in Montgomery county; and in that portion of Shelby county, lying west of a line one mile east of west line of range 3 west, in township 22-21, and that portion of township south which lies south of the Cahaba river; and in district No. 4, in Washington county; and at or within two miles of Shady Grove church and school-house in Pike county, (except in Linwood); and at or within three miles of Liberty church, in Madison county; and at or within three and a half miles of Asbury church, in beat No. 8, in Calhoun county; and at or within four miles of White Plains academy, in Chambers county; and at or within beat No. 4, Shelby county; and at or within four miles of Deatsville, Elmore county; and at or within four miles of Mt. Zion, Providence and Fair Prospect churches, in beat No. 8, and Mount Lebanon church, beat No. 14, in Montgomery county; and at or within township 12, range 18, in

Montgomery county; and at or within five miles of Scott's station post-office, in Perry county; and at or within two miles of Whistler, in Mobile county; and at or within Pence's beat, Plantersville beat, Woodlawn beat, and within township 13, range 11, and within five miles of Liberty church, and within five miles of Minter station, Dallas county, and Moant Pleasant Baptist church, Richards' beat, Barbour county;

Was taken up.

On motion of Mr. Rushing, the bill was amended by striking out the "town of Whistler; Victoria beat, in Coffee county; and beat No. 4, in Washington county."

Mr. Titcomb moved to amend by adding, "at or within five miles of Hurricane bayou, in Baldwin county."

Adopted.

Mr. McClellan moved to amend by adding to the bill the words "at or within three miles of Roland, otherwise known as McDonald's Station, in Limestone county."

Adopted.

The bill was read a second time and referred to the committee on temperance.

REPORTS OF COMMITTEES.

Mr. Billups, from the committee on temperance, reported favorably, with an amendment, the bill—

H. B. 475. To repeal section 3 of an act to prevent the selling of vinous, spirituous or malt liquors, beverages or bitters, composed in whole or in part of such spirituous or malt liquors, in the county of Bullock, except by regularly licensed druggists upon the prescription of licensed physicians, and to provide a local option law for the sale of such liquors, beverages, or bitters, in incorporated towns, or cities, in said county having a population of two hundred and fifty or more, approved February 28, 1881, and to amend the title of the same.

Mr. Norman offered a substitute for the bill and amendment.

The substitute was adopted, with caption as follows:

H. B. 475. To amend an act to prevent the selling of vinous, spirituous, or malt liquors, beverages or bitters, composed in whole or in part of such spirituous or malt liquors in the county of Bullock, except by regularly licensed druggists,

upon the prescription of licensed physicians, and to provide a local option law for the sale of such liquors, beverages or bitters in incorporated towns, or cities, in said county, having a population of two hundred and fifty or more, approved February 28, 1881.

The bill was read a third time and passed—yeas 18, nays 2.

Yeas—Messrs. President, Brewer, Brooks of Mobile, Davidson, Gardner, Grant, Griffin, Hargrove, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Pate, Smith, Street, Thomas—18.

Messrs. Billups and Orr voted no.

By leave, Mr. Seay, from the committee on local legislation, reported favorably, with an amendment, the bill—

s. 401. To amend an act to prevent in certain cases the sale, exchange, or transportation of cotton in the counties of Montgomery, Bullock, Dallas, Russell, Lowndes, Wilcox, Sumter, Autauga, and in beats numbers 1, 2, 3, 4, 5, 6, 7, 8 and 9 of Hale, and of cotton produced in said counties so far as Hale county is concerned.

The amendment was adopted, as follows:

Amend by adding after the words "Hale county," at the conclusion of the bill, the words:

"Be it enacted by the General Assembly of Alabama, That an act entitled an act to prevent in certain cases the sale, exchange or transportation of cotton in the counties of Montgomery, Bullock, Dallas, Russell, Lowndes, Wilcox, Sumter, Autauga, and in beats numbers 1, 2, 3, 4, 5, 6, 7, 8 and 9 of Hale, and of cotton produced in said counties, be amended so as to read as follows, so far as Hale county is concerned."

The bill was read a third time and passed—yeas 23, nays 4.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Seay, Smith, Street, Thomas, Titcomb, Ware—23.

Nays—Messrs. Billups, Jackson, Pate, and Shelby—4.

By leave Mr. Brooks of Mobile, from the finance committee, reported favorably, with an amendment, the bill—

H. B. 577. In aid of the exercise of the power of disposal conferred on the legislature of Alabama, by the act of Congress of June 3d, 1856, entitled, "an act granting public lands in alternate sections to the State of Alabama to aid in the construction of certain railroads in said State."

The amendment was adopted as follows :

Amend by adding after the word "never," where it occurs in line 1, preamble 3, the word "fully;"

Amend by adding the following section :

"Section 2. Be it further enacted, that the provisions of this act shall not go into effect until and unless within twelve months from the approval of this act the settlement and payment hereinafter mentioned and provided for, shall have been made. The Governor is hereby authorized to compromise and settle the ten per cent. of the net proceeds of the sale of the lands, mentioned and referred to in the 19th section of the debt settlement act of February 23d, 1876, under and by virtue of which John A. Billups and John Swann were appointed trustees for certain bond-holders therein designated, for not less than forty thousand dollars in cash, or in bonds of this State of class A. B. or C., at the market value thereof, paid into the treasury of the State, or to be deposited in such bank in this State as may be designated by the Governor, subject to the order of the State Treasurer, whenever the Governor shall have requested the Interior Department of the United States to furnish the aforesaid certified lists referred to in the first section of this act. And when the settlement and payment hereinabove provided for shall be made and executed as aforesaid, the amount so paid, either in cash or in bonds deposited in bank as aforesaid as above provided, [shall be in full satisfaction of the claim of this State for and on account of said ten per cent. of the net proceeds of the sale of said lands mentioned and referred to in said 19th section of said debt settlement act of February 23, 1876; and the persons making such payment either in cash or bonds as aforesaid, shall be subrogated to all the rights of this State as to said ten per cent. of the net proceeds of the sale of said lands under said last mentioned act, or any other law of this State."

The bill was read a third time and passed—yeas 18, nays 0.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Gardner, Griffin, Hargrove, McClellan, Moorman, McSpadden, Orr, Pate, Seay, Thomas, Titcomb, Ware—18.

Mr. Billups was excused from voting on the ground of interest.

SPECIAL ORDER.

At ten o'clock Mr. Brooks of Mobile, from the committee on finance, reported favorably, with amendments, the bill—

H. B. 557. To levy taxes for the use of this State and the counties thereof;

And on his motion, the Senate proceeded to consider the same, informally, as in committee of the whole.

RECESS.

Pending the consideration of the bill aforesaid, the hour of 2 p. m. arrived, and the Senate took a recess till 4 p. m.

AFTERNOON SESSION.

The Senate re-assembled at 4 p. m., a quorum present.

On motion of Mr. Brooks of Mobile, the bill—

H. B. 557. To levy taxes for the use of this State and the counties thereof;

Was taken up, and the Senate proceeded to consider the same informally, as in committee of the whole.

At 7:30 p. m., the Senate completed the consideration of said bill informally, as in committee of the whole, and the President reported to the Senate, that the Senate had been considering, informally, as in committee of the whole, the bill—

H. B. 557. To levy taxes for the use of this State and the counties thereof;

And had instructed him to report the same back to the Senate, favorably, with certain amendments thereto.

Mr. Seay moved to strike out section 2, and insert in lieu thereof section 358 of the Code, as follows :

(1)

SEC. 2. *What property and persons exempt from taxation.*
The following persons and property shall be exempt from taxation:

1. All property belonging to the United States.
2. All bonds of the United States and this State, and all

property, real and personal, of the State, counties, or other municipal corporations; all cemeteries; all lots in incorporated cities or towns, or within one mile of any city or town, to the extent of one acre, and all lots one mile or more distant from such cities or towns, to the extent of five acres, with buildings thereon, when the same are used exclusively for religious worship, for schools, or for purposes purely charitable; all property, real or personal, to an extent not exceeding twenty-five thousand dollars in value, as may be used exclusively for agricultural or horticultural associations of a public character.

3. All the property of literary and scientific institutions, and literary societies, not exempting any of such property when employed in any other than the regular business of such institutions.

4. The libraries of ministers of the gospel, and all libraries other than those of a professional character, and all religious books kept for sale by ministers of the gospel and colporteurs.

5. All deaf mutes, insane and blind persons, and their property to the value of one thousand dollars.

6. From poll tax, all persons proved to be permanently disabled, whose taxable property does not exceed five hundred dollars.

7. All family portraits.

8. The following property, to be selected by the head of each family, viz: Household and kitchen furniture, not to exceed in value one hundred and fifty dollars; one yoke of oxen, and one cart or wagon, two cows and calves, twenty head of stock hogs, ten head of sheep, all poultry, all corn, provisions and supplies on hand for the current year for the use of the family and the making of the crop, all wearing apparel, all looms and spinning wheels kept for use in the family, farming tools to the value of twenty-five dollars, tools and implements of mechanics to the value of twenty-five dollars.

9. All shares of the capital stock of any company or corporation which is required to list its property for taxation in this State, shall not be assessed against the shareholders of such corporation.

Mr. Brooks, of Macon, moved to lay the amendment on the table.

Lost--yeas 15, nays 17.

Yeas—Messrs. Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Hargrove, Moorman, McSpadden, Norman, Orr, Street, Thomas, Troy, Ware—15.

Nays—Messrs. President, Billups, Bowles, Brewer, Brown, Griffin, Jackson, Jones, Luckie, McClellan, Mitchell, Pate, Rushing, Seay, Shelby, Smith, Titcomb—17.

Mr. Brooks, of Mobile, offered an amendment, which was adopted, as follows:

Insert after the word "State," where it first occurs in sub-division 2 of the amendment, the following: "And all bonds of counties or incorporated cities and towns of this State shall be exempt from taxation by the counties and incorporated cities and towns of this State."

The amendment, as amended, was adopted.

The amendments reported by the President were severally read and adopted, as follows:

(2)

Amend by adding at the end of sub-division 1, section 5, as follows: "And on every separate or special interest in any land, such as mineral or timber, or other interest, when said interest is owned by a person other than the owner of the land or soil."

(3)

Amend by inserting after the word "value," in line 2, sub-division 7, section 5, as follows: "From which credits the indebtedness of the tax-payer shall be deducted and the excess only shall be taxed."

(4)

Add at end of sub-division 8 of section 5, the following: "Such shares shall be applied at their market value."

(5)

Amend by striking out "either not taxable or," in sub-division of section 5.

(6)

Amend sub-division 3 of section 6 by inserting the word "gross" immediately before the word "amount," where it occurs in said sub-division.

(7)

In sub-division 4 of section 6, insert "gross" before "amounts," and strike out three-fourths of one per cent., and insert "at the same rate that property is taxed."

(8)

Strike out sub-division five of section 6.

(9)

Amend sub-division eight of section 6 by striking out "two" in the sixth line, and inserting "five," and by inserting in the fifteenth line, "interest," immediately after the word "accounts."

(10)

Amend by striking out "fifty," and inserting "twenty-five" in line nine of sub-division sixteen of section fourteen.

(11)

Amend by striking out "one hundred" and inserting "fifty," in lines two and three in sub-division fifteen of section fourteen.

(12)

Amend by inserting in sub-division sixteen of section fourteen, after word "dollars," the words "in towns of, less than two thousand inhabitants, ten dollars."

(13)

Amend sub-division seventeen of section fourteen, by inserting "or" after "pistols," and by striking out "and" and inserting "or" after "Bowie knives."

(14)

Amend sub-division twenty-one of section fourteen by adding as follows: "The payment of this tax to the State, evidenced by the receipt of any probate judge of this State, shall exempt the company or party carrying on such business from the payment of this State tax in any other county, and payment of such tax shall not be required of any sub-agent or correspondent of the party or company carrying on such business in this State."

(15)

Strike out sub-division twenty-two, of section fourteen.

(16)

Amend by adding as sub-division thirty-three to section fourteen: "The owner or master of any steam boat or other water craft plying any of the rivers of this State, who engages in the business of buying, selling or bartering any goods, wares, merchandise, produce, or commodity whatever on or from said boat, must pay a license of fifty dollars, and the party so licensed shall thereby be entitled to carry on such business on the boat therein named in any county in which said boat is navigated. But each of such counties may charge a license therefor of ten dollars."

(17)

Amend by adding, as follows:

"*And provided further*, That the provisions of this act shall not have the effect to repeal any special act passed at this session of the General Assembly, affecting particular counties or municipalities."

(18)

Amend by adding the following:

"*And provided further*, This act shall not impair or operate upon any special law declaring rates of taxation resting on any contract with the State."

The bill was read a third time and passed—yeas 20, nays 5.

Yeas—Messrs. President, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Hargrove, Jones, McClellan, Mitchell, Norman, Orr, Rushing, Seay, Smith, Street, Thomas, Titcomb, Troy, Ware—20.

Nays—Messrs. Billups, Brewer, Griffin, Jackson and Shelby—5.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 20, 1883.

Mr. President:

The House has originated and passed the following bills: H. B. 452. To regulate the payment of fines and forfeitures in Calhoun and Marshall counties.

H. B. 146. To protect fish in the State of Alabama.
 H. B. 638. To amend section 3711 of the Code.
 H. B. 449. To amend an act entitled an act to regulate the compensation of sheriffs for the removal of prisoners; approved March 1st, 1881.

H. B. 630. To amend section 4153 of the Code.
 H. B. 377. To authorize Mrs. E. T. Hurley, wife of W. P. Hurley, deceased, late of Pike county, to sell certain lands and personal property lying and being in said county.

H. B. 227. To protect the interests of defendants whose debtors are garnisheed.

H. B. 567. To re-transfer to the circuit court of Clarke county all indictments transferred to the county court, under the act "in relation to the trial of misdemeanors in Tuscaloosa and other counties therein named, approved March 19, 1875, when the judge of the county court is incompetent to try the same."

H. B. 501. To provide a mode of contesting elections held under an act, approved March 19th, 1875, entitled an act to authorize probate judges in the counties of Jackson, Clarke, Shelby, Randolph, Coosa, Winston, Fayette, Cleburne, Tuscaloosa, Monroe, Marion, DeKalb, St. Clair, Calhoun, Sanford, Jefferson, Baldwin, Cherokee, Clay, Lauderdale, Blount and Morgan, to order elections in certain cases to prevent the sale, or giving away, or other disposition of vinous or spirituous liquors within certain limits in such counties.

H. B. 684. To amend an act entitled an act to prohibit the owner of any horse, mule, ass, cow, hog, sheep or goat, from allowing any such animal to go at large off the premises of such owner in Montgomery county, except certain portions enumerated and defined herein, and to prescribe a rule of damages and rule of practice in the trials of cases arising under this act, approved December 8th, 1880.

H. B. 427. To amend section 4049 of the Code.

And ordered the same forthwith to the Senate without engrossment.

And has concurred in the Senate amendments to the bill—

H. B. 577. In aid of the exercise of the powers of disposal conferred on the Legislature of Alabama by an act of Congress of June 3, 1856, entitled an act granting public lands, in alternate sections, to the State of Alabama to aid in the construction of certain railroads in said State.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House bills, the titles of which are set out in the foregoing House message, were severally read a first time and ordered to a second reading.

ADJOURNMENT.

On motion of Mr. Billups, at 7:40 p. m., the Senate adjourned—yeas 13, nays 10.

Yeas—Messrs. President, Billups, Brewer, Brown, Farnham, Gardner, Jackson, McClellan, Mitchell, Rushing, Shelby, Smith, Thomas—13.

Nays—Messrs. Brooks of Mobile, Hargrove, Jones, Norman, Orr, Seay, Street, Titcomb, Troy, Ware—10.

 FORTY-NINTH DAY.

WEDNESDAY, February 21, 1883.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Shackelford, of the House.

Present—Messrs. President, Bowles, Brewer, Brooks of Mobile, Brown, Farnham, Gardner, Griffin, Jackson, Jones, Luckie, McClellan, Mitchell, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—25.

On motion of Mr. Ware, the reading of the journal was dispensed with.

REPORTS OF COMMITTEES.

By leave, Mr. Pate, from the committee on local legislation, reported favorably, the bill—

H. B. 392. To prevent stock, in a certain event, from running at large in Chambers county, and to provide for the enforcement of the same;

Which was read a third time and passed—yeas 18, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Luckie, Mitchell, McSpadden, Orr, Pate, Rushing, Seay, Street, Ware—18.

By leave, Mr. Mitchell, from the committee on revision of laws, reported favorably, with amendments, the bill—

H. B. 821. Regulating fines and forfeitures in Jefferson, Marshall and Monroe counties.

The amendment was adopted, as follows:

Amend by adding after section six, the following:

"*Provided*, That all claims against said fund now outstanding, and which have been payable for a longer time than twelve months, may be registered within three months from the passage of this act, and when so registered, must be paid as provided for other claims."

Also, amend by striking out "Marshall," where it occurs in the bill.

The bill was read a third time and passed—yeas 25, nays 1.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Oden, Orr, Pate, Rushing, Seay, Smith, Street, Ware—25.

* Mr. Troy voted no.

By leave, Mr. Rushing, from the committee on printing, reported favorably, the bill—

H. B. 480. To authorize the Auditor to re-state the accounts of J. L. Rapier & Co., and for the payment of any balance which may be found due from the State;

Which was read a third time and passed—yeas 28, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—28.

Also, favorably, the bill—

H. B. 309. To amend an act entitled an act to amend an act entitled an act to amend section 5042 of the Code, approved February 13, 1879, approved December 8, 1880;

Which was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Smith, Street, Titcomb, Ware—25.

Mr. Troy, from a joint committee, reported favorably the bill—

H. B. 911. To enable the township superintendent of education of township 16, range 17, Montgomery county, and the county superintendent of education of said county to sell the public school property of said school district, located in the city of Montgomery, and to divide and reinvest the proceeds thereof ;

Which was read a third time and passed—yeas 26, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Shelby, Smith, Street, Titcomb, Troy, Ware—26.

SPECIAL ORDER.

On motion of Mr. Farnham, the bill—

H. B. 666. For the relief of J. B. Simpson, A. Lehman, James McFerrin, Caswell Ellington, Job Thigpen and A. M. Crum, as sureties on the official bond of J. M. Thigpen, county superintendent of education of Butler county ;

Was taken up,

And the motion to reconsider the vote by which said bill was lost prevailed.

The bill passed—yeas 21, nays 6.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Farnham, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Rushing, Smith, Street, Thomas, Titcomb, Troy, Ware—21.

Messrs. Billups, Brown, Orr, Pate, Seay and Shelby voted no.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 21, 1883.

Mr. President :

The Speaker of the House having signed the following bills, your signature to the same is requested, viz :

H. B. 577. In aid of the exercise of the power of disposal conferred on the Legislature of Alabama by the act of Congress of June 3, 1856, entitled "An act granting public lands in alternate sections to the State of Alabama, to aid in the construction of certain railroads in said State."

H. B. 711. To alter and amend the charter of the city of Huntsville, as established by an act approved March 3, 1870, entitled an act to establish a new charter for the city of Huntsville, and an act approved February 13, 1871, entitled an act to amend an act to establish a new charter for the city of Huntsville.

H. B. 773. To authorize an election to prohibit the sale, giving away, or otherwise disposing of, for gain or recompense, spirituous, vinous or malt liquors, or intoxicating biters, in the county of Lee.

H. B. 480. To authorize the Auditor to re-state the accounts of J. L. Rapier & Co., and for the payment of any balance which may be found due from the State.

H. B. 309. To amend an act entitled an act to amend an act entitled an act to amend section 5042 of the Code, approved February 13, 1879, approved December 8, 1880.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set forth in the foregoing House message.

BILLS ON SECOND READING.

The bills—

H. B. 703. To amend section 4849 of the Code;

H. B. 180. To amend an act entitled "An act to amend section 3524 of the Code," approved January 17, 1879;

H. B. 749. To regulate the trial of misdemeanors in the county of Bibb;

H. B. 227. To protect the interests of defendants whose debtors are garnisheed;

H. B. 501. To provide a mode of contesting elections held under an act approved March 19, 1875, entitled "An act to authorize probate judges in the counties of Jackson, Clarke, Shelby, Randolph, Coosa, Winston, Fayette, Cleburne, Tuscaloosa, Monroe, Marion, DeKalb, St. Clair, Calhoun, Jefferson, Sanford, Baldwin, Cherokee, Clay, Lauderdale, Blount and Morgan, to order elections in certain cases to prevent the sale or giving away, or other disposition of vinous or spirituous liquors within certain limits in such counties;

- H. B. 458. To amend section 4359 of the Code ;
- H. B. 427. To amend section 4049 of the Code ;
- H. B. 630. To amend section 4153 of the Code of Alabama ;
- H. B. 638. To amend section 3711 of the Code ;
- H. B. 644. To amend section 3893 of the Code ;
- H. B. 444. To protect persons dealing with minors carrying on business ;
- H. B. 752. To regulate the fees of circuit solicitors in county courts ;
- H. B. 218. To amend section 2461 of the Code ;
- H. B. 470. To prohibit the selling or giving away, or otherwise disposing of intoxicating liquors, to intemperate persons or habitual drunkards, after notice given ;
- H. B. 516. To amend section 712 (807) of the Code ;
- H. B. 540. To confer police powers upon the conductors of passenger trains in this State, to provide a punishment for a neglect of their official duties, and for other purposes ;
- H. B. 310. To amend section 2251 of the Code ;
- H. B. 234. To amend an act entitled "An act to amend section 4358 of the Code," approved November 26, 1880 ;
- H. B. 253. To protect the rights of tenants for years or for life, and of remaindermen in money coming into the hands of probate judges of this State ;

Were severally read a second time and referred to the judiciary committee.

The bills—

- H. B. 611. To amend section 2252 of the Code of Alabama ;
- H. B. 645. To amend section 3219 of the Code ;
- H. B. 452. To regulate the payment of fines and forfeitures in Calhoun and Marshall counties ;
- H. B. 322. To repeal an act entitled an act to repeal section 1374 of Revised Code of Alabama so far as it relates to the counties of Dale, Jackson and Conecuh, approved February 23, 1875, so far as the same relates to the county of Conecuh.
- H. B. 567. To re-transfer to the circuit court of Clarke county all indictments transferred to the county court under the act "in relation to the trial of misdemeanors in Tuscaloosa and other counties therein named," approved March 19, 1875, when the judge of the county court is incompetent to try the same ;

Were severally read a second time and referred to the committee on revision of laws.

The bills—

H. B. 926. To secure the payment of money due for the hire of county convicts ;

H. B. 449. To amend an act entitled an act to regulate the compensation of sheriffs for the removal of prisoners, approved March 1st, 1881 ;

Were severally read a second time, and referred to the the committee on the penitentiary.

The bill—

H. B. 713. To repeal an act to amend section 5030 (3517) of the Code ;

Was read a second time and referred to the committee on finance.

The bill—

H. B. 377. To authorize Mrs. E. F. Hurley, wife of W. P. Hurley, deceased, late of Pike county, to sell certain lands and personal property lying and being in said county ;

Was read a second time and referred to the committee on local legislation.

The bills—

H. B. 146. To protect fish in the State of Alabama ;

H. B. 59. To incorporate the East Alabama Mining and Manufacturing company ;

Were severally read a second time and referred to the committee on temperance.

The bill—

H. B. 684. To amend an act entitled an act to prohibit the owner of any horse, mule, ass, cow, hog, sheep or goat, from allowing any such animal to go at large off the premises of such owner, in Montgomery county, except certain portions enumerated and defined herein, and to prescribe a rule of damages and rules of practice in the trials of cases arising under this act, approved December 8th, 1880 ;

Was read a second time and referred to the committee on the debt stricken counties.

The bills—

H. B. 750. To provide for the speedy trial of persons charged with misdemeanors in the county of Bibb ;

H. B. 106. To better provide for the protection of domestic animals against poison ;

Were severally read a second time and referred to the committee on industrial resources.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 21, 1883.

Mr. President :

The House has passed, without amendment, the bills :

s. 394. To provide for the disposition of the wife's dower in the real estate of the husband when she is insane ;

s. 294. To make the clerk of the circuit court of Bibb county *ex officio* clerk of the county court ;

s. 297. To further regulate the trial of misdemeanors in Madison county ;

s. 236. To further regulate the payment of the fine and forfeiture fund script of Sumter, Pickens and Randolph counties.

s. 365. To authorize the Governor, the State Auditor and the State Treasurer of this State to settle the claims of this State against Isaac H. Vincent, late State Treasurer, and his sureties on his several bonds, and any other person, firm or corporation liable to the State for money of the State obtained from said Vincent, or property obtained with money so used with any of said parties.

D. W. McIVER, Clerk.

REPORTS OF COMMITTEES.

Mr. Rushing, from the committee on printing, reported favorably the bill—

H. B. 389. To amend section 750 of the Code, so far as relates to the county of Butler :

Which was read a third time and passed—yeas 17, nays 11.

Yeas—Messrs. Bowles, Brown, Farnham, Hargrove, Jackson, Jones, McClellan, Mitchell, McSpadden, Oden, Orr, Rushing, Smith, Street, Thomas, Troy, Ware—17.

Nays—Messrs. Billups, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Gardner, Moorman, Norman, Pate, Shelby, Titcomb—11.

Mr. Jones, from the committee on the Penitentiary, reported favorably the bill—

H. B. 385. To amend section 5002 of the Code of Alabama;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones,

Luckie, McClellan, Mitchell, McSpadden, Norman, Orr, Pate, Rushing, Shelby, Street, Titcomb, Troy, Ware—23.

Mr. Bowles, from the committee on the military, reported favorably the bill—

H. B. 747. To amend section 37 of an act entitled "An act for the organization and discipline of the volunteer forces of Alabama, approved March 1, 1881 ;"

Which was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. Billups, Bowles, Brewer, Brooks of Macon, Farnham, Hargrove, Jones, Luckie, McClellan, Mitchell, Norman, Oden, Orr, Pate, Rushing, Seay, Street, Thomas, Titcomb, Troy, Ware—21.

Mr. Billups, from the committee on temperance, reported favorably, the bill—

H. B. 60. To amend section 2 of an act approved February 28, 1881, entitled an act to prohibit the sale of spirituous, vinous, or malt liquors, or other intoxicating beverages in the counties of Etowah, Cherokee, DeKalb and Tallapoosa, so far as Tallapoosa and Etowah are concerned ;

Which was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, McSpadden, Norman, Orr, Pate, Street, Thomas, Titcomb, Troy, Ware—21.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 21, 1883.

Mr. President :

The House has concurred in the Senate amendments to the bill—

H. B. 821. Regulating fines and forfeitures in Jefferson, Marshall and Monroe counties.

And has passed, without amendment, the bill—

s. 93. To establish a normal school for the education of white male and female teachers, at Jacksonville, in Calhoun county.

And has concurred in the report of conference committee on the bill—

s. 144. To regulate the hiring and treatment of State and county convicts.

D. W. McIVER, Clerk.

RESOLUTION.

By leave, Mr. Billups offered a resolution, which was adopted, as follows:

Resolved, That the temperance committee be and is hereby authorized to employ a clerk for this day.

REPORT OF CONFERENCE COMMITTEE.

Mr. Troy, from a conference committee, submitted the following report:

Mr. President:

The committee of conference, to whom was referred the disagreement of the two houses on the Senate amendments numbers 2, 3, 5, 7 and 12, to the House substitute for Senate bill—

s. 144. To be entitled an act to regulate the hiring and treatment of State and county convicts;

Have had the same under consideration, and have agreed to make the following recommendations:

(1)

That the Senate recede from their *second* amendment, and adopt in lieu thereof, the following:

"SECTION 3. *Be it further enacted*, That the warden and inspectors may be suspended by the Governor at any time for willful neglect of duty, corruption in office, drunkenness, incompetency, or any offense involving moral turpitude while in office, or committed under color thereof, or connected therewith; and after notice to him in writing, such suspended officer shall not perform any of the functions of his office. It shall be the duty of the Governor, whenever he so suspends either of said officers under this act, to inform the Attorney-General of the fact, and of the reason, or reasons, for such suspension, and the Attorney-General shall forthwith proceed in the manner directed by law to impeach such suspended officer, and the Governor shall fill all vacancies arising under this act, and during the suspension of any officer, shall appoint some suitable person to perform the duties of such suspended officer. During the time such appointee executes the duties thus devolved upon him, he shall receive the compensation for his services which such sus-

pendent officer would have received had he not been suspended; and if he discharge the duties of the warden, shall give the same bond as is now required by law of the warden."

(2)

That the Senate recede from their *third* amendment.

(3)

That the Senate concur in the House amendment to the *fifth* Senate amendment.

(4)

That the Senate recede from their *seventh* amendment, and amend section 13 of the House substitute, as follows:

Strike out the word "two," after "appoint" in the 2d line, and insert in lieu thereof, the word "three."

And, also, by adding at the end of said section 13, the following words:

"And the office of deputy warden is hereby abolished."

(5)

That the Senate recede from their *twelfth* amendment.

And amend section 19 of the House substitute, as follows:

Insert after the words "and if," in the 7th line of said section, the following words:

"The bond, in the opinion of the probate judge, becomes insufficient in security, or if."

D. S. TROY,
RICHARD C. JONES,
A. L. BROOKS,

Committee on part of the Senate.

S. A. M. WOOD,
P. HAMILTON,
JNO. W. DOWLING,

Committee on part of the House.

Mr. Seay moved that the Senate non-concur in the report of the conference committee as to the House amendment to Senate amendment number five.

The motion was lost—yeas 5, nays 25.

Yeas—Messrs. McClellan, Seay, Thomas, Troy, Ware—5.

Nays—Messrs. President, Billups, Bowles, Brewer, Brooks

of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, Luckie, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Shelby, Smith, Titcomb—25.

The report of the conference committee was concurred in—yeas 24, nays 4.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, Norman, Oden, Orr, Shelby, Smith, Street, Titcomb, Troy—24.

Messrs. Gardner, Seay, Thomas and Ware voted no—4.

MOTION TO SUSPEND REGULAR ORDER.

Mr. Brooks of Mobile, moved to suspend the regular order so as to allow the committee on finance to report the bill—

H. B. 558. To provide for the assessment and collection of taxes for the use of this State and the counties thereof, and to define the duties of officers engaged about the said assessment and collection of taxes.

Lost—yeas 16, nays 14.

Yeas—Messrs. President, Bowles, Brooks of Mobile, Brown, Davidson, Hargrove, Jones, McClellan, Mitchell, McSpadden, Norman, Oden, Seay, Shelby, Titcomb, Ware—16.

Nays—Messrs. Billups, Brewer, Brooks of Macon, Farnham, Gardner, Grant, Griffin, Luckie, Moorman, Orr, Pate, Street, Thomas, Troy—14.

RESOLUTION.

By leave, Mr. McClellan offered the following resolution:
Resolved, That the Senate adjourn this afternoon at 6½ o'clock and re-assemble at 7:30 p. m., to consider the revenue bill aforesaid, and that said bill be made the special order for that hour.

Mr. Brewer moved to table the resolution.

Lost—yeas 11, nays 18.

Yeas—Messrs. Billups, Brewer, Brooks of Macon, Davidson, Gardner, Grant, Griffin, Orr, Pate, Street, Troy, Ware—11.

Nays—Messrs. President, Bowles, Brooks of Mobile, Brown, Faruham, Hargrove, Jones, Luckie, McClellan,

Mitchell, Moorman, McSpadden, *Norman, Seay, Shelby, Smith, Thomas, Titcomb—18.

The resolution was adopted—yeas 21, nays 10.

Yeas—Messrs. President, Bowles, Brooks of Mobile, Brown, Davidson, Farnham, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Rushing, Shelby, Smith, Street, Thomas, Titcomb—21.

Nays—Messrs. Billups, Brewer, Gardner, Grant, Griffin, Orr, Pate, Seay, Troy, Ware—10.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 21, 1883.

Mr. President :

The House has passed without amendment the bills :

s. 54. To amend the last paragraph of section 5027 of the Code ;

s. 223. To establish a State normal school for the education of white female teachers and students at Livingston, in Sumter county ;

s. 378. To rearrange the times of holding the courts of the eastern chancery division of the State ;

And has concurred in the Senate amendment in the nature of a substitute to the bill—

H. B. 475. To repeal section 3 of an act to prevent the selling of vinous, spirituous or malt liquors, beverages or bitters, composed in whole or in part of such spirituous or malt liquors, in the county of Bullock, except by regularly licensed physicians, and to provide a local option law for the sale of such liquors, beverages or bitters in incorporated towns or cities in said county having a population of two hundred and fifty or more, approved February 28, 1881.

D. W. McIVER, Clerk.

ENROLLED BILLS.

Mr. Orr, from committee on enrolled bills, reported the following bills correctly enrolled :

s. 236. To further regulate the payment of the fine and forfeiture fund script of Sumter, Pickens and Randolph counties.

s. 297. To further regulate the trial of misdemeanors in Madison county.

s. 294. To make the clerk of the circuit court of Bibb county *ex-officio* clerk of the county court.

s. 394. To provide for the disposition of the wife's dower in the real estate of the husband when she is insane.

s. 365. To authorize the Governor, the State Auditor and Secretary of State of this State to settle the claims of this State against Isaac H. Vincent, lately State Treasurer, and his sureties on his several bonds as Treasurer, and any other person, firm or corporation liable to the State for money of the State obtained from said Vincent, or property obtained with money so used with any of said parties.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing report of the enrolling committee.

REPORT OF COMMITTEES.

Mr. Billups, from the committee on Temperance, reported favorably, with amendment, the bill—

H. B. 799. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages, at or within certain localities in this State hereinafter designated, to-wit: At or within the bounds of Pleasant Site Beat, in Franklin county, Alabama; and at or within five miles of the railway station house at Beaver Meadow in the county of Mobile; and at or within three miles of Harmony church in Blount county; and at or within two miles of Victoria church, in Coffee county; and at or within six miles of Beulah Academy, in Beat No. 1, Lee county; and at or within six miles of Octagon church, in Marengo county; and at or within two miles of Shiloh church, in Blount county; and at or within a radius of three miles of Cowikee Baptist church, and one and one-half miles of Providence Methodist church, in Barbour county; and at or within three miles of Sandy Point church, in Barbour county; and in Mount Meigs beat, in Montgomery county; and in that portion of Shelby county lying west of a line one

mile east of west line of range 3, west, in township 22-21, and that portion of township south, which lies south of the Cahaba river; and in District No. 4 in Washington county; and at or within two miles of Shady Grove church and school-house, in Pike county (except in Linwood); and at or within three miles of Liberty church, in Madison county; and at or within $3\frac{1}{2}$ miles of Asbury church, in beat No. 8, in Calhoun county; and at or within four miles of White Plains Academy, in Chambers county; and at or within beat No. 4, Shelby county; and at or within four miles of Deatsville, Elmore county; and at or within four miles of Mt. Zion, Providence, and Fair Prospect churches, in beat No. 8, and Mt. Lebanon church, beat No. 14, in Montgomery county; and at or within township 12, range 18, in Montgomery county; and at or within five miles of Scott's Station post-office, in Perry county; and at or within two miles of Whistler, in Mobile county; and at or within Pence's beat, Plantersville beat, Woodlawn beat, and within township 13 of range 11, and within five miles of Liberty church, and within five miles of Minter Station, Dallas county, and Mount Pleasant Baptist church, Richard's beat, Barbour county.

The amendments were adopted, as follows :

Add at the end of first section the words, "at or within three miles of the Methodist churches, Hargrove, Evergreen, and Arbor Springs and Hannah's M. E. church, in Pickens county, and at or within three miles of Unity Baptist church, in Pickens county; at or within one-half mile of Tuscaloosa railroad depot, in Tuscaloosa county," and amended caption to correspond.

Add to section one the following :

"Wilkie Camp Ground, and Mount Zion Camp Ground, in Barbour county, within one mile thereof ;"

And in the last section, at the end, add the following :

"Provided that the board of trustees and *bona fide* tent holders of Wilkie's and Mount Zion Camp Grounds in Barbour county, shall have the right to pass rules and regulations, as they may deem proper to preserve order, and to regulate, or prohibit, the sale of any article whatever within one mile of said camp grounds, during the time of religious services. Provided further, That the *bona fide* tent holders of said camp grounds shall have the right to appoint a marshal, or marshals, whose duty it shall be to enforce the laws of said camp grounds. Provided further, That the *bona fide*

tent holders of said camp grounds shall have the right to appoint some suitable person as Intendent of said camp grounds, whose duty it shall be to try all persons for violating any of the by-laws, rules, or orders of the *bona fide* tent holders of said camp grounds. Provided, further, That any person violating any of the by-laws, rules, or orders of said camp grounds, or either of them, shall be fined not less than one nor more than ten dollars, and may be imprisoned for not more than forty-eight hours."

Amend by striking out of the first section the words, "within six miles of Beulah Academy, Lee county."

Amend the title by striking out the word "beat" after the words "Mount Meigs," and insert in lieu thereof, the words, "and McGehee's Switch Beats."

Amend section one by striking out the word "beat" after the words "Mount Meigs," and insert in lieu thereof, the words, "and McGehee's Switch beats."

Amend title by adding "Wilkie's and Mount Zion Camp Grounds, within one mile thereof."

The bill was read a third time.

By unanimous consent amendments were offered and adopted, as follows:

By Mr. Shelby—

Strike out "at or within three miles of Liberty church, in Madison county."

By Mr. Gardner—

Strike out "Woodlawn and Plantersville, and Pleasant Hill beats, in Dallas county."

By Mr. Grant—

Add "at or within three miles of Antioch Baptist church, in Talladega county, and at or within three miles of Bethlehem church, and Friendship Academy and church, in Cleburne county."

The bill passed—yeas 25, nays 4.

Yeas—Messrs. Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Street, Thomas, Titeomb, Ware—25.

Messrs. Farnham, Gardner, Shelby and Smith voted no—4.

Also, favorably, the bill—

H. B. 320. To amend section 1 of an act entitled an act to authorize the probate judge of Chilton county to order elec-

tions in certain cases to determine whether spirituous, vinous or malt liquors shall be sold, given away or otherwise disposed of in said county, or in any beat, or incorporated city or town therein;

Which was read a third time and passed—yeas 21, nays 2.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, McSpadden, Oden, Pate, Seay, Street, Troy, Ware—21.

Nays—Messrs. Orr and Rushing—2.

Also, favorably, with an amendment, the bill—

H. B. 139. To repeal an act entitled an act to amend section 1544 of the Code, approved March 1, 1881, relating to recommendation necessary to obtain license, so far as the counties of Cullman, Coosa and Marshall are concerned.

The amendment was adopted, as follows:

Strike out in last line of section 1, "Coosa and Marshall."

The bill was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Hargrove, Jones, Mitchell, Moorman, Oden, Pate, Rushing, Street, Thomas, Titcomb, Troy, Ware—22.

Also, favorably, with an amendment, the bill—

H. B. 205. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors, or intoxicating bitters or beverages of any description whatever, at or within certain localities in this State hereinafter designated: At or within three miles of Godfrey High School in Winston county; at or within two and a half miles of Uchee Academy in Russell county; at or within three miles of Philadelphia and Liberty churches, in Marion county; at or within two miles of Saville church and school house, in Crenshaw county; at or within three miles of Wesley Chapel school house, near Brock's Gap, and Toadvine in Jefferson county; at or within four miles of Friendship Baptist church in Montgomery county, within South Lowell beat, No. 2, Walker county.

The amendment was adopted as follows:

Amend by adding at or within 3 miles of Toadvine, when the word "Toadvine" occurs in the title and body of the bill.

The bill was read a third time and passed—yeas 22, nays 3.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brown, Davidson, Grant, Griffin, Hargrove, Jones, Mc-

Clellan, Mitchell, Moorman, Norman, Orr, Pate, Rushing, Seay, Street, Thomas, Titcomb, Ware—22.

Nays—Messrs. Gardner, Shelby, Troy—3.

Mr. Billups, from the committee on temperance, reported favorably the bill—

H. B. 690. To refund to R. H. Little, R. M. Pilgreen, and Wm. Mosteller, of Shelby county, Ala., certain moneys paid out by them for license to deal in lager beer;

Which was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Street, Thomas, Titcomb, Troy, Ware—24.

Also, favorably, the bill—

H. B. 383. To amend an act to prohibit the sale of vinous or spirituous liquors within eight miles of the court house at St. Stephens, in Washington county, approved February 22, 1876;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. Billups, Bowles, Brooks, of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Street, Thomas, Titcomb, Ware—23.

Also, favorably, the bill—

H. B. 252. To regulate the granting of licenses to sell spirituous or vinous liquors in the county of Covington;

Which was read a third time and passed—yeas 27, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks of Macon, Brown, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Pate, Rushing, Seay, Shelby, Street, Titcomb, Troy, Ware—27.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 21, 1883.

Mr. President :

The House has amended, in the nature of a substitute, and as amended, has passed the bill :

s. 307. To provide for the payment of the compensation

and expenses of the commissioner appointed pursuant to an act to provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee and Pickens, arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies, approved December 7, 1882;

And has passed without amendment the bills:

s. 230. For the relief of John Rupert, circuit clerk in the county of Escambia;

s. 90. To incorporate the Scottsville Manufacturing Company, and to allow said company to construct railways and tramways to connect with other railways;

And has amended as therein shown, and, as amended, has passed the bills:

s. 244. To provide for the voluntary payment of taxes in Lee and Chambers counties;

s. 410. To avoid an election for members of the courts of county commissioners of the several counties of this State during the year 1883, and to extend the term of office of the members of said courts of county commissioners.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House amendment to the bill—

s. 410. To avoid an election for members of the courts of county commissioners of the several counties of this State, during the year 1883, and to extend the term of office of the members of said courts of county commissioners;

Was taken up, and, on motion of Mr. Farnham, non-concurred in.

The Senate proceeded to consider the House amendment, by way of substitute, to the bill—

s. 307. To provide for the payment of the compensation and expenses of the commissioner appointed pursuant to an act "to provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee, and Pickens, arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies, approved December 7, 1882.

Mr. Luckie moved that the Senate non-concur in the House amendment.

RECESS.

Pending the consideration thereof, the hour of 2 o'clock arrived, and the Senate took a recess till 4 p. m.

AFTERNOON SESSION.

The Senate re-assembled at 4 p. m.
A quorum present.

UNFINISHED BUSINESS.

The Senate resumed consideration of the House amendments to the bill—

s. 307. To provide for the payment of the compensation and expenses of the commissioner appointed pursuant to an act to provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee and Pickens, arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies, approved December 7, 1882;

And the motion to non-concur prevailed—yeas 21, nays 6.

Yeas—Messrs. Bowles, Brewer, Brooks of Mobile, Davidson, Farnham, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, Mitchell, McSpadden, Orr, Seay, Shelby, Smith, Street, Titcomb, Ware—21.

Nays—Messrs. President, Billups, Brooks of Macon, McClellan, Pate and Troy—6

The Senate concurred in the House amendment to the bill—

s. 244. To provide for the voluntary payment of taxes in Lee and Chambers counties.

Yeas 21, nays 2.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Orr, Pate, Rushing, Seay, Shelby, Street, Titcomb, Troy, Ware—21.

Messrs. Farnham and McSpadden voted no.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 21, 1883.

Mr. President :

The House has passed, without amendment, the bills :

s. 291. To create a separate school district of certain fractional townships in Dallas county.

s. 315. To amend section 3 of an act to alter and amend the charter of the town of Camden, in Wilcox county, Alabama, approved February 8, 1858.

And has amended, as therein shown, and as amended, has passed the bill—

s. 388. To make an appropriation to pay the expenses of the joint committee to investigate the accounts, conduct, bond, &c., of I. H. Vincent, late Treasurer of Alabama.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The Senate concurred in the House amendment to the bill—

s. 388. To make an appropriation to pay the expenses of the joint committee to investigate the accounts, conduct, bond, &c., of I. H. Vincent, late Treasurer of Alabama.

Yeas 22, nays 0.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, McSpadden, Orr, Seay, Shelby, Smith, Street, Titcomb—22.

ENROLLED BILLS.

Mr. Orr, from committee on enrolled bills, reported the following bills correctly enrolled :

s. 93. To establish a normal school for the education of white male and female teachers at Jacksonville, in Calhoun county.

s. 54. To amend the last paragraph of section 5027 of the Code.

s. 378. To rearrange the times of holding the courts of the Eastern Chancery Division of this State.

s. 291. To create a separate school district of certain fractional townships in Dallas county.

s. 223. To establish a State normal school for the education of white female teachers and students at Livingston, in Sumter county.

SIGNING BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing report of enrolled bills.

REPORTS OF STANDING COMMITTEES.

Mr. Billups, from the committee on temperance, reported adversely the bill—

H. B. 415. To authorize the probate judges of Tallapoosa and Etowah counties to order an election to determine whether spirituous, vinous or malt liquors, or other intoxicating beverages, shall be sold, given away, or otherwise disposed of, in said counties—the same being prohibited by an act entitled “An act to prohibit the sale of spirituous, vinous or malt liquors, or other intoxicating beverages, in the counties of Etowah, Cherokee, DeKalb and Tallapoosa,” approved February 28, 1881.

Mr. Brooks of Macon, moved to lay the adverse report on the table.

Carried—yeas 15, nays 12.

Yeas—Messrs. President, Brooks of Macon, Brooks of Mobile, Farnham, Gardner, Jackson, Luckie, McClellan, Mitchell, Pate, Rushing, Seay, Shelby, Smith, Troy—15.

Nays—Messrs. Billups, Brown, Grant, Griffin, Hargrove, Jones, Moorman, McSpadden, Oden, Orr, Street, Titcomb—12.

On motion of Mr. Brooks of Macon, the county of Etowah was stricken from the provisions of the bill.

On motion of Mr. Brooks of Macon, section 5 was stricken out.

The bill was read a third time and passed—yeas 18, nays 10.

Yeas—Messrs. President, Brooks of Macon, Brooks of Mobile, Davidson, Farnham, Gardner, Jackson, Luckie, Mc-

Clellan, Mitchell, Moorman, Norman, Pate, Rushing, Seay, Shelby, Smith, Troy—18.

Nays—Messrs. Billups, Brown, Grant, Griffin, Hargrove, Jones, McSpadden, Orr, Street, Titcomb—10.

Mr. McClellan, from the judiciary committee, reported a substitute for the bill—

H. B. 312. To provide the manner in which notice shall be given to non-resident defendants in attachment.

The substitute was adopted, with caption as follows :

H. B. 312. To amend section 3259 of the Code.

The bill was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Farnham, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby, Street, Troy—20.

Mr. Hargrove, from same committee, reported favorably the bill—

H. B. 912. To provide a fund for the support of the supreme court library, without appropriations from the treasury ;

Which was read a third time and passed—yeas 15, nays 9.

Yeas—Messrs. President, Bowles, Brooks of Mobile, Farnham, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Seay, Smith, Street, Troy—15.

Nays—Messrs. Billups, Gardner, Luckie, Orr, Pate, Rushing, Shelby, Titcomb, Ware—9.

Also, favorably, the bill—

H. B. 148. To render competent as witnesses in the courts of this State certain persons ;

Which was read a third time and passed—yeas 21, nays 2.

Yeas—Messrs. President, Bowles, Brooks of Macon, Farnham, Hargrove, Jones, Luckie, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—21.

Messrs. Brooks of Mobile, and Gardner voted no.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

February 21, 1883.

Mr. President :

The House has passed, without amendment, the bill—
s. 27. To amend section 1679 of the Code.

And has concurred in the Senate amendments to the bill—
H. B. 205. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters or beverages, at or within certain localities in this State therein designated.

And refuses to concur in the Senate amendments to the bill—

H. B. 779. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters or beverages, at or within certain localities therein named.

And asks a committee of conference thereon.

Committee on part of the House—Messrs. Hawkins of Jefferson, Brown of Talladega, and John.

And concurs in Senate amendments to the bill—

H. B. 139. To repeal an act entitled an act to amend section 1544 of the Code, approved March 1, 1881, relating to recommendation necessary to obtain license, so far as the counties of Cullman, Coosa and Marshall are concerned.

Also, insists on its substitute for the bill—

s. 307. To provide for the payment of the compensation and expenses of the commissioner appointed pursuant to an act to provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee and Pickens, arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies, approved December 7th, 1882;

And asks a committee of conference thereon.

Committee on part of the House—Messrs. Dowling, Wood and Shealy.

And recedes from its amendments to the bill—

s. 410. To avoid an election for members of the courts of county commissioners of the several counties of this State during the year 1883, and to extend the term of office of the members of said courts of county commissioners.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The Senate acceded to the request of the House for a committee of conference on the disagreement of the two houses on the House bill number 779, set out in above House message.

The President appointed on said committee,
Messrs. Billups, Norman and Brooks of Macon.

Also, acceded to the request of the House for a committee of conference on the disagreement of the two houses on the Senate bill number 307, set out in above House message.

The President appointed on said committee,
Messrs. Troy, Seay and McClellan.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 21, 1883.

Mr. President :

The House has concurred in the Senate amendments to the bills :

H. B. 415. To authorize the probate judge of Tallapoosa and Etowah counties to order an election to determine whether spirituous, vinous or malt liquors or other intoxicating beverages, shall be sold, given away, or otherwise disposed of in said counties, the same being prohibited by an act entitled an act to prohibit the sale of spirituous, vinous or malt liquors or other intoxicating beverages in the counties of Etowah, Cherokee, DeKalb and Tallapoosa, approved February 28th, 1881.

H. B. 312. To provide the manner in which notice shall be given to non-resident defendants in attachments.

And asks the return of the bill—

s. 410. To avoid an election for members of the courts of county commissioners of the several counties of this State during the year 1883, and to extend the term of office of the members of said courts of county commissioners.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

In accordance with the request of the House, the Senate returned the bill—

s. 410. To avoid an election for members of the courts of county commissioners of the several counties of this State during the year 1883, and to extend the term of office of the members of said courts of county commissioners.

REPORTS OF STANDING COMMITTEES.

Mr. Hargrove, from the judiciary committee, reported favorably to the bill—

H. B. 802. To authorize private business corporations, which may hereafter be organized under the provisions of article 7, chapter 1, part 2, title 1 of the Code, to hold stockholders and directors meetings, and do corporate acts in other States of the Union ;

Which was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Street, Titcomb, Troy, Ware—24.

Also, favorably, the bill—

H. B. 539. For the relief of Mary V. Anderson and Elizabeth M. Anderson, of Greene county, minors under eighteen years of age from the disabilities of non-age ;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Luckie, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Street, Troy, Ware—20.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 21, 1883.

Mr. President :

The House refuses to concur in the Senate amendments to the bill :

H. B. 557. To levy taxes for the use of the State and the counties thereof.

And requests a committee of conference thereon.

Committee on the part of the House—Messrs. Brown of Tuscaloosa, Aderholt, John and Samford.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The Senate acceded to the request of the House for a com-

mittee of conference on the disagreement of the two houses on the bill—

H. B. 557. To levy taxes for the use of the State and the counties thereof.

And the President appointed on said committee on the part of the Senate—

Messrs. Brooks of Mobile, Seay, Bowles and Brewer.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 21, 1883.

Mr. President:

The House insists on its amendment to the bill—

s. 410. To avoid an election for members of the courts of county commissioners of the several counties of this State during the year 1883, and to extend the term of office of the members of said courts of county commissioners;

And ask a committee of conference thereon.

Committee on part of the House, Messrs. Burnett, Dunklin and Shorter.

D. W. McIVER, Clerk.

HOUSE MESSAGE.

The Senate acceded to the request of the House for a committee of conference on the Senate bill number 410, set out in the above message.

The President appointed on said committee Messrs. McSpadden, Grant and Brooks of Macon.

REPORTS OF COMMITTEES.

Mr. Hargrove, from the judiciary committee, reported favorably the bill—

H. B. 905. To amend section 573 of the Code.

Which was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. President, Brooks of Macon, Brown, Davidson, Farnham, Gardner, Grant, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Shelby, Smith, Street, Thomas, Titcomb, Troy and Ware—24.

Also, favorably, the bill—

H. B. 853. To provide for the collection by suit of any money of the State of Alabama illegally used by any public officer of the State, or illegally received by any person, partnership, or corporation from any public officer, or from any depository, or custodian of any of the money of this State ;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Brooks of Macon, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Smith, Street, Thomas, Titcomb, Troy, Ware—23.

Also, favorably, the bill—

H. B. 831. To release Claudia Shaw, of Macon county, from the bonds of matrimony ;

Which was read a third time and passed—yeas 18, nays 7.

Yeas—Messrs. President, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Gardner, Grant, Griffin, Jones, McClellan, Moorman, Orr, Pate, Rushing, Smith, Street, Titcomb, Ware—18.

Nays—Messrs. Billups, Hargrove, Luckie, Mitchell, Seay, Shelby and Troy—7.

Also, favorably, the bill—

H. B. 613. To fix the fees of the circuit clerks of Bullock and Tuscaloosa counties in civil cases.

Mr. Hargrove offered an amendment, which was adopted, as follows :

Amend by including the counties of Perry, Coffee, Pike and Monroe, within the provisions of the bill.

The bill was read a third time and passed—yeas 20, nays 3.

Yeas—Messrs. Billups, Bowles, Brooks of Macon, Davidson, Farnham, Gardner, Grant, Hargrove, Jones, Luckie, McCellan, Mitchell, Moorman, McSpadden, Orr, Rushing, Thomas, Titcomb, Troy, Ware—20.

Messrs. Seay, Shelby and Smith voted no.

Also, favorably, the bill—

H. B. 732. To prevent the firing, shooting or exploding fire works of any character in or along the public highways and public streets in the counties of Pike, Clarke and Montgomery.

On motion of Mr. Farnham, the county of Conecuh was included in the provisions of the bill.

The bill was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Brooks

of Macon, Brown, Davidson, Farnham, Gardner, Grant, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Seay, Shelby, Thomas, Titcomb, Troy and Ware—24.

Also, favorably, with amendment, the bill—

H. B. 451. To amend section 4773 of the Code ;

The amendment was adopted as follows:

“ Amend by striking out the proviso.”

The bill was read a third time and passed—yeas 21, nays 3.

Yeas—Messrs. Bowles, Brooks of Macon, Brooks of Mobile, Brown, Farnham, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Smith, Street, Thomas, Titcomb—21.

Messrs. Davidson, Shelby and Troy voted no.

By leave, Mr. McSpadden, from the committee on revision of laws, reported favorably, the bill—

H. B. 734. To fix the time for holding the circuit courts in St. Clair county ;

Which was read a third time and passed—yeas 24, nays 0.

Yeas—Messrs. President, Billups, Brooks of Macon, Brown, Davidson, Farnham, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—24.

RECESS.

At 7 p. m., the Senate took a recess till 8 p. m.

EVENING SESSION.

The Senate re-assembled at 8 p. m.

REPORTS OF COMMITTEES.

By leave, Mr. Brooks of Mobile, from the finance committee, reported a substitute for the bill—

H. B. 811. To require the Governor to have made or purchase for the use of the State a fire-proof safe for the deposit of State securities and other funds of the State, under regulations herein required.

The substitute was adopted, with caption as follows :

H. B. 811. To make secure the vault and safe of the State treasury.

The bill was read a third time and passed—yeas 17, nays 3.

Yeas—Messrs. President, Billups, Bowles, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Griffin, Hargrove, McClellan, McSpadden, Rushing, Seay, Smith, Street, Titcomb, Ware—17.

Messrs. Brewer, Jones and Orr voted no.

Also, favorably, the bill—

H. B. 27. To authorize the Governor to issue five "Class A" bonds of the State in exchange for that number of past due bonds of the State, issued under an act of the General Assembly of Alabama, passed December 4, 1832, to increase the capital stock of the branch bank of the State of Alabama, in the town of Montgomery;

Which was read a third time and passed—yeas 24, nays 2.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, McSpadden, Norman, Orr, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—24.

Messrs. Billups and Pate voted no.

Also, favorably, the bill—

H. B. 834. To authorize the issue of a bond of class A in substitution of a bond numbered 2066 of the issue of bonds under the act approved December 4, 1832, "to establish a branch of the Bank of the State of Alabama in the city of Mobile;"

Which was read a third time and passed—yeas 22, nays 2.

Yeas—Messrs. President, Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Griffin, Hargrove, Jones, McClellan, McSpadden, Norman, Orr, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—22.

Messrs. Billups and Pate voted no.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 21, 1883.

Mr. President:

The House has passed, without amendments, the bills:

s. 377. To amend section 79 of an act to incorporate the city of Tuscaloosa, approved March 12, 1873.

s. 360. To regulate the times of holding the circuit courts of Talladega and Clay counties in the 7th judicial circuit.

s. 323. To authorize the commissioners court of Conecuh county to allow the probate judge of said county compensation for services therein specified.

s. 162. For the relief of Mahaley O'Neal, of Randolph county.

And has concurred in the Senate amendments to the bill:

H. B. 613. To fix the fees of the circuit clerk of Bullock and Tuscaloosa counties in civil cases.

H. B. 732. To prevent the firing, shooting or exploding fire works of any character in, or along, the public highways and public streets in the counties of Pike, Clarke and Montgomery.

H. B. 451. To amend section 4773 of the Code.

D. W. McIVER, Clerk.

SPECIAL ORDER.

Mr. Brooks, of Mobile, from the finance committee, reported favorably the bill—

H. B. 558. To provide for the assessment and collection of taxes for the use of this State and the counties thereof, and to define the duties of officers engaged about the said assessment and collection of taxes.

Mr. Troy moved to table the bill.

Lost—yeas 13, nays 13.

Yeas—Messrs. Billups, Brewer, Brooks of Macon, Brown, Gardner, Griffin, McClellan, Orr, Pate, Rushing, Smith, Street, Troy—13.

Nays—Messrs. President, Bowles, Brooks of Mobile, Davidson, Hargrove, Jones, Mitchell, McSpadden, Norman, Seay, Shelby, Titcomb, Ware—13.

Mr. Orr moved to indefinitely postpone the bill.

Lost—yeas 9, nays 16.

Yeas—Messrs. Billups, Brewer, Brooks of Macon, Gardner, Griffin, Orr, Pate, Street, Troy—9.

Nays—Messrs. President, Bowles, Brooks of Mobile, Davidson, Grant, Hargrove, Jones, McClellan, Mitchell, McSpadden, Norman, Seay, Shelby, Smith, Titcomb, Ware—16.

Mr. Grant offered the following amendment, which was adopted:

In section 22, line 1, insert after the word "notice" the words, "by advertisement in a newspaper, if there be one published in the county, and."

Mr. Troy offered an amendment, which was adopted, as follows:

In section 4, line 3, strike out "January" and insert "May."

Mr. McSpadden offered an amendment, which was adopted, as follows:

Strike out "first" and insert "second" in the 4th line of section 35.

Mr. Troy offered the following amendment:

Add at end of section 4 the following: "The assessor shall add twenty per centum to the amount of taxes assessed against any tax payer, who fails to make return of his property for taxation by the first day of May."

On motion of Mr. Brooks, of Mobile, the amendment was tabled—yeas 22, nays 4.

Yeas—Messrs. Billups, Bowles, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, McSpadden, Norman, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Ware—22.

Messrs. Brewer, Brooks of Macon, Mitchell and Troy voted no.

Mr. Brooks, of Mobile, offered an amendment, which was adopted, as follows:

Strike out "April" and insert "May."

Mr. Orr offered an amendment.

Lost.

Mr. Brewer moved to strike out twenty-first and twenty-second lines of section forty-two.

Agreed to.

Mr. Jones moved to strike out line six of section forty-two.

Agreed to.

Mr. Troy offered an amendment, which was adopted, as follows:

In 4th line of section forty-three, after the word "assessor," insert "if such person is known."

Mr. Ware offered an amendment, which was lost.

Mr. Troy offered an amendment, which was tabled on motion of Mr. Brooks, of Mobile.

Mr. Brooks, of Mobile, moved to strike out "made," and insert "collected," in line 24 of section 41.

Mr. McClellan offered an amendment, which was adopted, as follows :

Insert after the word "notice," section fifty-seven, line one, "by publication in a newspaper, if there is one published in the county, and."

Mr. Jones moved to strike out "April," in section thirty-eight, line four.

Agreed to.

Mr. Brewer offered an amendment.

Lost.

Mr. Troy moved to strike out section 78.

Agreed to.

Mr. Jones offered an amendment, which was adopted, as follows :

In section 72, after 61, in first line, insert "provided he shall not charge but one fee to each tax payer for making such demand, or giving notice of delinquent poll tax, and tax on property."

Mr. Grant offered the following amendment, which was adopted :

In section 91, line 7, strike out "or," and insert "and."

Mr. Troy moved to strike out "his," and insert "the" in section 104, line 3.

Agreed to.

Mr. Brewer offered an amendment, which was lost.

Mr. Troy offered an amendment, which was adopted, as follows :

Strike out "three," and insert "five," in line 2, section 113.

Mr. Troy offered an amendment.

Lost.

Mr. Troy offered an amendment, which was adopted, as follows :

Insert after "Auditor," in lines 1 and 4 of section 131, the words, "with the approval of the Governor."

Mr. Jones offered an amendment.

Lost.

Mr. McClellan moved to strike out "it," in line 9, section 137, and insert "the owner," which was adopted.

Mr. Troy offered an amendment, which was adopted, as follows :

Add at end of bill the words :

"*And provided further, That nothing in this act shall be construed to effect the term of office of tax assessors and collectors now in office.*"

Mr. McClellan moved to amend, as follows :

Strike out in line 9, in section 137, "against such property."
Adopted.

Mr. Jones offered an amendment, which was adopted, as follows :

Amend section 37 by adding after assessor, in line 4 :

" *Provided*, He shall not charge but one fee from each tax payer for making such demand or giving notice of poll tax and tax on property."

Mr. Seay moved to strike out all after line 10, in section 143.

Agreed to.

Mr. Troy offered an amendment,

Which, on motion of Mr. McSpadden, was tabled.

The bill was read a third time and passed—yeas 20, nays 3.

Yeas—Messrs. President, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Hargrove, Jones, McClellan, Mitchell, McSpadden, Norman, Orr, Pate, Seay, Smith, Street, Titcomb, Ware—20.

Nays—Messrs. Billups, Shelby and Troy—3.

RESOLUTION.

Mr. Hargrove offered a resolution that the Senate meet Friday at 9 o'clock, a. m.

Adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 21, 1883.

Mr. President :

The House has passed, without amendment, the bills :

s. 157. To repeal all laws prohibiting the sale or giving away spirituous, vinous or malt liquors or intoxicating biters, in Marion beat, Perry county, State of Alabama.

s. 186. To permanently locate the seat of justice in Morgan county.

And has adopted the report of the conference committee on the bill—

H. B. 557. To levy taxes for the use of this State and the counties thereof.

D. W. McIVER, Clerk.

REPORT OF COMMITTEE OF CONFERENCE.

Mr. Brooks of Mobile, from a committee of conference, submitted the following report :

Messrs. President of the Senate and Speaker of the House :

The conference committee to which was referred the amendments of the Senate to H. B. 557, being the bill to be entitled an act—

H. B. 557. To levy taxes for the use of this State and the counties thereof;

And which said amendments the House refused to concur in, have had the same under consideration and submit the following, and recommend concurrence in the same :

That the House concur in the following Senate amendments, to-wit :

Nos. 1, 2, 5, 6, 7, 13, 14, 15, 16, 17 and 18.

That Senate amendment No. 3 be amended by adding the following :

“ But persons engaged in the business of borrowing and lending money shall not be allowed such deductions.”

And that Senate amendment No. 9 be amended by striking out “ 5 ” and inserting “ 3.”

And that the Senate recede from amendments Nos. 4, 8, 10, 11 and 12.

All of which is respectfully submitted.

LESLIE E. BROOKS,

THOS. SEAY,

W. BREWER,

L. H. BOWLES,

Committee on part of the Senate.

H. H. BROWN,

D. A. ADERHOLT,

W. J. SAMFORD,

S. W. JOHN,

Committee on part of the House.

The report was concurred in—yeas 24, nays 1.

Yeas—Messrs. Bowles, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, McSpadden, Norman, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—24.

Mr. Billups voted “ no.”

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 21, 1883.

Mr. President :

The House has concurred in the Senate amendment, in the nature of a substitute, to the bill :

H. B. 811. To require the Governor to have made or purchase for the use of the State a fire-proof safe for the deposit of State securities, and other funds of the State under regulations herein required.

And has passed, without amendment, the bill :

s. 304. To authorize the court of county commissioners of Marion county to levy and collect a special tax not exceeding three-fourths of one per centum on the taxable property in said county for the purpose of paying for the erection of the court-house and jail of said county.

s. 274. To amend section 5 of an act to establish a new charter for the city of Demopolis, approved March 28, 1873.

s. 165. To empower the Railroad Commission of Alabama to recommend joint local rates on freight to railroad companies and persons operating railroads in this State.

s. 193. To prevent monopolies in the transportation of freight, and to secure free and fair competition in the same.

s. 314. To amend an act to amend section one of an act to define the corporate limits of the city of Wetumpka.

s. 295. To provide for the comfort and accommodation of passengers at each of the passenger depots along the line of every railroad operated by any railroad company or person in this State.

And has adopted the report of the committee of conference on the bill—

s. 410. To avoid an election for members of the courts of county commissioners of the several counties of this State during the year 1883, and to extend the term of office of the members of said courts of county commissioners.

D. W. McIVER, Clerk.

REPORT OF CONFERENCE COMMITTEE.

Mr. McSpadden, from a conference committee, submitted the following report :

Mr. President :

The committee of conference on the disagreement of the two Houses, on the House amendment to the bill—

s. 410. To avoid an election for members of the courts of county commissioners of the several counties of this State during the year 1883, and to extend the term of office of the members of said courts of county commissioners ;

And recommend that the Senate concur in the House amendment thereto.

Respectfully submitted.

S. K. McSPADDEN,

A. L. BROOKS,

L. W. GRANT,

On part of the Senate.

D. G. DUNKLIN,

C. C. SHORTER,

On part of the House.

The report of the conference committee was concurred in—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Hargrove, Jones, McClellan, Mitchell, McSpadden, Oden, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy—23.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

February 21, 1883.

Mr. President :

The House has amended, as therein shown, and, as amended, has passed the bill—

s. 145. To regulate the fees of witnesses for the State in criminal cases ;

And has passed without amendment, the bill—

s. 98. To repeal an act to fix the pay of the sheriff of Coffee county, approved March 1st, 1881 ;

And has amended, as therein shown, and passed the bill—

s. 221. To provide for the appointment of an official stenographer for the city court of Montgomery, and other courts held in said county, and to define his duties and regulate his compensation ;

And amended, by way of substitute, the bill—

s. 141. To amend section 1811 of the Code.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The Senate concurred in the House amendment to the bill—

s. 145. To regulate the fees of witnesses for the State in criminal cases ;

Yeas 19, nays 0.

Yeas—Messrs. President, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Hargrove, Jones, McClellan, Mitchell, McSpadden, Norman, Orr, Seay, Shelby, Smith, Street, Troy, Ware—19.

Also, concurred in the House amendment to the bill—

s. 221. To provide for the appointment of an official stenographer for the city court of Montgomery, and other courts held in said county, and to define his duties and regulate his compensation ;

Yeas 18, nays 0.

Yeas—Messrs. Billups, Brewer, Brooks of Mobile, Brown, Gardner, Hargrove, Jones, McClellan, Mitchell, McSpadden, Norman, Orr, Seay, Smith, Street, Titcomb, Troy, Ware—18.

Also, concurred in the House amendments to the bill—

s. 141. To amend section 1811 of the Code ;

Yeas 18, nays 0.

Yeas—Messrs. Billups, Brewer, Brooks of Mobile, Brown, Davidson, Gardner, Hargrove, McClellan, Mitchell, McSpadden, Norman, Orr, Seay, Shelby, Smith, Street, Troy and Ware—18.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

February 21, 1883.

Mr. President :

The House has amended, as therein shown, and, as amended, has passed the bill—

s. 200. To regulate the fine and forfeiture fund of Barbour and Elmore counties.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The Senate concurred in the House amendments to the bill—

s. 200. To regulate the fine and forfeiture fund of Barbour and Elmore counties ;

Yeas 21, nays 0.

Yeas—Messrs. President, Billups, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Hargrove, Jones, McClellan, Mitchell, McSpadden, Norman, Orr, Pate, Seay, Smith, Street, Titcomb, Ware—21.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 21, 1883.

Mr. President :

The House has concurred in the Senate amendments to the bill—

H. B. 558. To provide for the assessment and collection of taxes for the use of this State and the counties thereof, and to define the duties of officers engaged about the said assessment and collection of taxes.

D. W. McIVER, Clerk.

ENROLLED BILLS.

Mr. Orr, from the committee on enrolled bills, reported the following bills correctly enrolled :

s. 230. For the relief of John Rupert, circuit clerk in the county of Escambia ;

s. 90. To incorporate the Scottsville Manufacturing company, and to allow said company to construct railways and tramways to connect with other railways ;

s. 27. To amend section 1679 of the Code ;

s. 144. To regulate the hiring and treatment of State and county convicts ;

s. 157. To repeal all laws to prohibit the sale or giving away of spirituous, vinous or malt liquors, or intoxicating bitters in Marion beat, Perry county, State of Alabama.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing report of enrolling committee.

REPORTS FROM COMMITTEES.

Mr. Titcomb, from the committee on local legislation, reported favorably, with an amendment, the bill—

H. B. 266. To abolish the county court of Greene county, and to repeal chapter 6, of title 9, of part 4, and chapter 6, of title 3, of part 5, of the Code of Alabama, so far as the same applies to Greene county.

The amendment was adopted as follows :

Amend by adding the following additional section :

"SECTION 6. *Be it further enacted*, That an act entitled an act to amend section five, of an act in relation to the trial of misdemeanors in Tuscaloosa and other counties therein named, approved 19th March, 1875, "approved March 1st, 1881, be, and the same is hereby repealed, so far as Greene county is concerned."

The bill was read a third time and passed—yeas 18, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Davidson, Gardner, Hargrove, Jones, McClellan, Mitchell, Norman, Orr, Seay, Smith, Street, Titcomb, Troy and Ware—18.

Mr. Mitchell, from the committee on revision of laws, reported favorably the bill—

H. B. 278. To amend an act entitled an act to amend section 3496 of the Code, approved December 7, 1878 ;

Which was read a third time and passed—yeas 18, nays 0.

Yeas—Messrs. President, Brewer, Brooks of Macon, Davidson, Gardner, Hargrove, Jones, McClellan, Mitchell, Norman, Orr, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—18.

Mr. McClellan, from the committee on municipal and county organizations reported favorably the bill—

H. B. 585. To incorporate the town of Browneville ;

Which was read a third time and passed—yeas 18, nays 0.

Yeas—Messrs. President, Brewer, Brooks of Macon, Davidson, Gardner, Hargrove, Jones, McClellan, Mitchell, Norman, Orr, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—18.

By leave, Mr. Mitchell, from the committee on revision of laws, reported favorably the bill—

H. B. 534. To exempt the organization of the grand and petit juries of the city court of Selma, which was organized at the January term, 1873, from the provisions of an act to

regulate the drawing and empanneling of grand and petit juries in Dallas county, approved December 12, 1882;

Which was read a third time and passed—yeas 19, nays 0.

Yeas—Messrs. President, Billups, Brewer, Davidson, Gardner, Grant, Hargrove, Jones, McClellan, Mitchell, Norman, Orr, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—19.

Mr. Brooks of Macon, from the committee on education, reported favorably the bill—

H. B. 772. To form a separate school district in the territory east of Shoal creek, in township 2, range 10 west, in the county of Lauderdale;

Which was read a third time and passed—yeas 18, nays 0.

Yeas—Messrs. President, Billups, Davidson, Gardner, Grant, Hargrove, Jones, McClellan, Mitchell, Norman, Orr, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—18.

Mr. Brewer, from the committee on internal improvements, reported favorably the bill—

H. B. 275. To amend an act entitled an act for the preservation of game animals and birds in Perry county, approved February 26, 1881;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Davidson, Gardner, Grant, Hargrove, Jones, McClellan, Mitchell, Norman, Orr, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—20.

Mr. McClellan, from the committee on municipal and county organizations, reported favorably the bill—

H. B. 552. To extend the corporate limits of the city of Talladega;

Which was read a third time and passed—yeas 17, nays 2.

Yeas—Messrs. President, Brooks of Macon, Davidson, Gardner, Grant, Hargrove, Jones, McClellan, Mitchell, Norman, Orr, Seay, Smith, Street, Titcomb, Troy, Ware—17.

Messrs. Billups and Shelby voted no.

Mr. Mitchell, from the committee on revision of laws, reported favorably the bill—

H. B. 413. To repeal section 4 of an act entitled an act to regulate the fine and forfeiture fund of certain counties, approved February 13, 1879, in so far as the same relates to Talladega county;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Ma-

con, Davidson, Gardner, Grant, Hargrove, Jones, McClellan, Mitchell, Norman, Orr, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—20.

Mr. McClellan, from the committee on municipal and county organizations, reported favorably the bill—

H. B. 553. To amend section 21 of an act to establish a new charter for the city of Talladega, and to repeal all acts in contravention therewith, approved March 1, 1870;

Which was read a third time and passed—yeas 18, nays 0.

Yeas—Messrs. President, Billups, Brooks of Macon, Davidson, Gardner, Grant, Hargrove, Jones, McClellan, Mitchell, Moorman, Orr, Seay, Smith, Street, Titcomb, Troy, Ware—18.

Mr. Brooks of Macon, from the committee on education, reported favorably the bill—

H. B. 536. To incorporate the White Sulphur Spring College in DeKalb county, Alabama;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Davidson, Gardner, Grant, Hargrove, Jones, McClellan, Mitchell, Norman, Orr, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—20.

Mr. Brewer, from the committee on internal improvements, reported favorably the bill—

H. B. 502. To establish a department of agriculture for the State of Alabama;

Which, on motion of Mr. Gardner, was postponed and made the special order for Friday morning at 10 o'clock.

Mr. Mitchell, from the committee on revision of laws, reported favorably the bill—

H. B. 33. To provide for a re-registration of all claims against the fine and forfeiture fund of Clarke county;

Which was read a third time and passed—yeas 17, nays 1.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Davidson, Gardner, Grant, Hargrove, Jones, McClellan, Mitchell, Norman, Orr, Seay, Smith, Street, Ware—17.

Mr. Shelby voted "no."

Mr. Titcomb, from the committee on local legislation, reported favorably the bill—

H. B. 554. To authorize the mayor and alderman of the city of Talladega to license and regulate hawkers, peddlers and itinerant dealers in merchandise;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Billups, Bowles, Brewer, Davidson, Gardner, Grant, Hargrove, Jones, McClellan, Mitchell, Norman, Orr, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—20.

Mr. Mitchell, from the committee on revision of laws, reported favorably the bill—

H. B. 546. To regulate the trial of misdemeanors in the county of Macon ;

Which was read a third time and passed—yeas 17, nays 2.

Yeas—Messrs. President, Brooks of Macon, Davidson, Gardner, Grant, Hargrove, Jones, McClellan, Mitchell, Norman, Orr, Seay, Smith, Street, Titcomb, Troy, Ware—17.

Messrs. Billups and Shelby voted no.

Mr. Brewer, from the committee on internal improvements, reported favorably the bill—

H. B. 239. For the preservation of game animals and birds in the county of Tuscaloosa ;

Which was read a third time and passed—yeas 18, nays 0.

Yeas—Messrs. President, Billups, Brooks of Macon, Davidson, Gardner, Hargrove, Jones, McClellan, Mitchell, Norman, Orr, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—18.

ADJOURNMENT.

At one o'clock a. m., on motion of Mr. Smith, the Senate adjourned.

FIFTIETH DAY.

FRIDAY, February 23, 1883.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Avent, of the House.

Present—Messrs. President, Brewer, Brooks of Mobile, Davidson, Gardner, Hargrove, McClellan, Mitchell, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Smith, Titcomb, Ware—17.

On motion of Mr. Ware, the reading of the journal was dispensed with.

REPORTS OF COMMITTEES.

Mr. Brooks of Mobile, from the finance committee, reported favorably, the bill—

H. B. 719. To authorize John A. Lile, J. Council Baker and J. N. Wade, securities of S. M. Smith, tax collector of Morgan county for the years 1875, 1876 and 1877, to collect the unpaid taxes for said years, for the purpose of reimbursing them for moneys paid the State ;

Which was read a third time and passed—yeas 19, nays 1.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Hargrove, McClellan, Mitchell, McSpadden, Orr, Pate, Rushing, Seay, Street, Titcomb, Ware—19.

Mr. Troy voted no.

Mr. Seay, from the committee on local legislation, reported favorably, with an amendment, the bill—

H. B. 818. To empower the court of county commissioners of Hale county to extend the limits of the Canebrake Agricultural District, in said county, or to establish new and separate agricultural districts in said county, upon petition of a majority of land-owners in any beat or district to be effected thereby.

The amendment was adopted.

The bill was read a third time and passed—yeas 20, nays 1.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Hargrove, McClellan, Mitchell, McSpadden, Orr, Pate, Rushing, Seay, Smith, Titcomb, Troy, Ware—20.

Mr. Shelby voted no.

Also, favorably, with an amendment, the bill—

H. B. 430. To prevent stock from running at large in certain portions of Hale county.

The amendment was adopted.

The bill was read a third time and passed—yeas 19, nays 0.

Yeas—Messrs. President, Billups, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Hargrove, Jones, McClellan, Mitchell, McSpadden, Orr, Pate, Rushing, Seay, Smith, Titcomb, Ware—19.

Also, favorably, the bill—

H. B. 873. To authorize the court of county commissioners of Hale county to furnish tools for working the public roads ;

Which was read a third time and passed—yeas 21, nays 0.
Yeas—Messrs. President, Billups, Brooks of Macon, Brown, Davidson, Hargrove, Jackson, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Smith, Titcomb, Troy, Ware—21.

Mr. Mitchell, from the committee on revision of laws, reported favorably the bill—

H. B. 620. To amend an act to amend section 5025 of the Code, so far as the same relates to the county of Blount ;

Which was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Mobile, Brown, Gardner, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Street, Titcomb, Troy, Ware—21.

Mr. Brooks of Mobile, from the finance committee, reported favorably, with an amendment, the bill—

H. B. 714. To prescribe the duties of the tax collector of Marshall county, as to appointments, &c. for the collection of taxes.

The amendment was adopted, as follows :

Amend by adding the county Etowah in the caption and body of the bill.

The bill was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—22.

Mr. Mitchell, from the committee on the revision of laws, reported favorably the bill—

H. B. 567. To re-transfer to the circuit court of Clarke county all indictments transferred to the county court under the act "in relation to the trial of misdemeanors in Tuscaloosa and other counties therein named," approved March 19, 1875, when the judge of the county court is incompetent to try the same ;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Griffin, Hargrove, Jones, McClellan, Mitchell, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Street, Titcomb, Ware—20.

Also, favorably, the bill—

H. B. 10. For the relief of Delia Edwards, of Choctaw county, as the adopted heir of Adam Burgess, deceased ;

Which was read a third time and passed—yeas 23, nays 1.
 Yeas—Messrs. President, Billups, Brewer, Brooks of Mobile, Brown, Davidson, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—23.

Mr. Shelby voted no.

Also, favorably, the bill—

H. B. 441. To authorize the court of county commissioners of Russell county to appoint and employ a superintendent of public roads and bridges in said county;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Brewer, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Ware—23.

SPECIAL ORDER.

At 10 o'clock, the Senate proceeded to consider the bill—

H. B. 502. To establish a department of agriculture for the State of Alabama.

Mr. Troy offered an amendment, as follows:

Amend by striking out of section 18 all down to the word "Governor," where it first appears in said section, and inserting in lieu thereof the following: "That all sums necessary to support the department of agriculture, including commissioner's salary, shall be paid out of any moneys in the treasury paid in by the department of agriculture and standing to its credit, under such rules as may be prescribed by the Governor."

Mr. Gardner moved to table the amendment.

Lost—yeas 11, nays 16.

Yeas—Messrs. Brewer, Brooks of Mobile, Davidson, Gardner, Grant, Griffin, Hargrove, Jackson, Mitchell, Moorman, Shelby—11.

Nays—Messrs. President, Billups, Brooks of Macon, Brown, Jones, McClellan, Norman, Orr, Pate, Seay, Smith, Street, Thomas, Titcomb, Troy, Ware—16.

The amendment was adopted.

Mr. Mitchell offered an amendment, as follows:

Amend section 20 by striking out "October," and inserting "September."

Adopted.

Mr. Troy offered an amendment, as follows:

Amend the bill by adding: "SECTION 22. *Be it further enacted*, That any chemist, who, in making any analysis under this act, or growing out of this act, shall fail for want of due diligence, or other neglect, to ascertain the true constituent elements of any sample of commercial fertilizer submitted to him for an analysis, and by reason of such want of due diligence, or neglect, makes a false certificate of the constituents of such sample, shall be liable to any party injured for all damages sustained, directly or indirectly, by reason of such false certificate, and any chemist who shall knowingly make a false certificate of any analysis required of him under this act, or who shall knowingly so conduct or make such analysis as not to disclose the true constituent elements of the sample submitted to him, and certify the result of such false analysis as true, shall be guilty of a felony, and on conviction thereof, shall be imprisoned in the penitentiary for not less than two, nor more than five years."

Mr. Gardner moved to table the amendment.

Lost.

The amendment was adopted.

Mr. Hargrove offered an amendment, which was adopted, as follows:

Amend section 17 by inserting after "act," in 7th line, the words "without any charge therefor."

The bill was read a third time and passed—yeas 25, nays 5.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Jones, McClellan, Mitchell, Moorman, McSpadden, Norman, Oden, Orr, Rushing, Smith, Street, Titcomb, Troy, Ware—25.

Messrs. Hargrove, Jackson, Pate, Seay, and Shelby voted no—5.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
Montgomery, February 23, 1883.

Mr. President:

The Governor has approved the following bills which originated in the Senate:

s. 27. To amend section 1679 of the Code.

s. 54. To amend the last paragraph of section 5027 of the Code.

s. 90. To incorporate the Scottsville Manufacturing Company, and to allow said company to construct railways and tramways to connect with other railways.

s. 93. To establish a normal school for the education of white male and female teachers, at Jacksonville, in Calhoun county.

s. 144. To regulate the hiring and treatment of State and county convicts.

s. 157. To repeal all laws prohibiting the sale or giving away of spirituous, vinous or malt liquors, or intoxicating bitters in Marion beat, Perry county, State of Alabama.

s. 236. To further regulate the payment of the fine and forfeiture fund script of Sumter, Pickens and Randolph counties.

s. 223. To establish a State normal school for the education of white female teachers and students at Livingston, in Sumter county.

s. 291. To create a separate school district of certain fractional townships, in Dallas county.

s. 294. To make the clerk of the circuit court of Bibb county *ex officio* clerk of the county court;

s. 297. To further regulate the trial of misdemeanors in Madison county;

s. 365. To authorize the Governor, the State Auditor and Secretary of State of this State to settle the claims of this State against Isaac H. Vincent, late State Treasurer, and his sureties on his several bonds, and any other person, firm or corporation liable to the State for money of the State obtained from said Vincent, or property obtained with money so used with any of said parties.

s. 378. To rearrange the times of holding the courts of the eastern chancery division of the State.

s. 394. To provide for the disposition of the wife's dower in the real estate of the husband when she is insane.

s. 230. For the relief of John Rupert, circuit clerk, in the county of Escambia.

W. G. HUTCHESON,
Recording Secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 23, 1883.

Mr. President:

The House has concurred in the Senate amendments to the bills—

H. B. 714. To prescribe the duties of the tax collector of Marshall county as to appointments, &c., for the collection of taxes.

H. B. 502. To establish a department of agriculture for the State of Alabama.

H. B. 818. To empower the court of county commissioners of Hale county to extend the limits of the Canebrake Agricultural District in said county, or to establish new and separate agricultural districts in said county, upon petition of a majority of land owners in any beat or district to be affected thereby.

H. B. 430. To prevent stock from running at large in certain portions of Hale county.

And has concurred in the report of the conference committee on the bill—

H. B. 779. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters or beverages, at or within certain localities therein designated.

Also, has concurred in the Senate amendments to the bill—

H. B. 266. To abolish the county court of Greene county, and to repeal chapter 6, title 9, of part 1 and chapter 6, of title 3 of part 5 of the Code, so far as the same applies to Greene county.

The House has also amended, as therein shown, and, as amended, has passed the bill—

s. 246. To prevent stock from running at large in China Grove beat, Pike county.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The Senate concurred in the House amendment to the bill—

s. 246. To prevent stock from running at large in China Grove Beat, in Pike county.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Norman, Orr, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—28.

ENROLLED BILLS.

Mr. Orr, from committee on enrolled bills, reported the following bills correctly enrolled :

s. 186. To permanently locate the seat of justice in Morgan county.

s. 98. To repeal an act to fix the pay of the sheriff of Coffee county, approved March 1, 1881.

s. 200. To regulate the fine and forfeiture fund of Barbour, Elmore, Antauga, Blount, Etowah and Chambers counties.

s. 141. To amend section 1811 of the Code.

s. 315. To amend section 3 of an act to alter and amend the charter of the town of Camden, in Wilcox county, Alabama, approved February 8, 1858.

s. 165. To empower the Railroad Commission of Alabama to recommend joint local rates on freight to railroad companies and persons operating railroads in this State.

s. 295. To provide for the comfort and accommodation of passengers at each of the passenger depots along the line of every railroad operated by any railroad company, or person in this State.

s. 304. To authorize the court of county commissioners of Marion county to levy and collect a special tax not exceeding three-fourths of one per centum on the taxable property in said county, for the purpose of paying for the erection of the court house and jail in said county.

s. 274. To amend section 5 of an act to establish a new charter for the city of Demopolis, approved March 28, 1873.

s. 323. To authorize the commissioners court of Conecuh county to allow the probate judge of said county compensation for services therein specified.

s. 377. To amend section 79 of an act to incorporate the city of Tuscaloosa, approved March 12, 1873.

s. 410. To avoid an election for members of the courts of county commissioners of the several counties of this State

during the year 1883, and to extend the term of office of the members of said courts of county commissioners.

s. 360. To regulate the times of holding the circuit court of Talladega and Clay counties, in the 7th judicial circuit.

s. 388. To make an appropriation to pay the expenses of the joint committee to investigate the accounts, conduct, bond, &c., of I. H. Vincent, late Treasurer of Alabama.

s. 244. To provide for the voluntary payment of taxes in Lee, Chambers, Tallapoosa and Pickens counties.

s. 162. For the relief of Mahala Oneal of Randolph county.

s. 314. To amend an act to amend section 1 of an act to define the corporate limits of the city of Wetumpka.

s. 145. To regulate the fees of witnesses for the State in criminal cases.

s. 193. To prevent monopolies in the transportation of freight, and to secure free and fair competition in the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, February 23, 1883.

Mr. President :

The Speaker of the House having signed the following bills, your signature to the same is requested, viz :

H. B. 831. To relieve Claudia Shaw, of Macon county, from the bonds of matrimony ;

H. B. 252. To regulate the granting of license to sell spirituous, or vinous liquors in the county of Covington ;

H. B. 690. To refund to R. H. Little, R. M. Pilgreen, and Wm. Mosteller, of Shelby county, Ala., certain moneys paid out by them for license to deal in lager beer ;

H. B. 320. To amend section 1 of an act entitled an act to authorize the probate judge of Chilton county to order elections in certain cases to determine whether spirituous, vinous or malt liquors shall be sold, given away or otherwise disposed of in said county, or in any beat, or incorporated city or town therein, approved February 26, 1881.

H. B. 821. Regulating fines and forfeitures in Jefferson and Monroe counties.

H. B. 666. For the relief of J. B. Simpson, A. Lehman James McFerrin, Caswell Ellington, Job Thigpen and A. M. Crum, as sureties on the official bond of J. M. Thigpen, late county superintendent of education of Butler county ;

H. B. 392. To prevent stock, in a certain event, from running at large in Chambers county, and to provide for the enforcement of the same ;

H. B. 27. To authorize the Governor to issue five "Class A" bonds of the State in exchange for that number of past due bonds of the State, issued under an act of the General Assembly of Alabama, passed December 4, 1832, to increase the capital stock of the branch of the bank of the State of Alabama in the town of Montgomery ;

H. B. 385. To amend section 5002 of the Code of Alabama ;

H. B. 312. To amend section 3259 of the Code ;

H. B. 734. To fix the time for holding the circuit courts in St. Clair county ;

H. B. 911. To enable the township superintendent of education of township 16, range 17, Montgomery county, and the county superintendent of education of said county to sell the public school property of said school district, located in the city of Montgomery, and to divide and reinvest the proceeds thereof ;

H. B. 60. To amend section 2 of an act approved February 28, 1881, entitled an act to prohibit the sale of spirituous, vinous, or malt liquors, or other intoxicating beverages in the counties of Etowah, Cherokee, DeKalb and Tallapoosa, so far as Tallapoosa and Etowah are concerned ;

H. B. 539. For the relief of Mary V. Anderson and Elizabeth M. Anderson, of Greene county, minors under eighteen years of age from the disabilities of non-age ;

H. B. 912. To provide a fund for support of the Supreme Court library, without appropriations from the treasury ;

H. B. 383. To amend an act to prohibit the sale of vinous or spirituous liquors within eight miles of the court house at St. Stephens, in Washington county, approved February 22, 1876 ;

H. B. 475. To amend an act to prevent the selling of vinous, spirituous or malt liquors, beverages or bitters, composed in whole or in part of such spirituous or malt liquors, in the county of Bullock, except by regularly licensed druggists upon the prescription of licensed physicians, and to provide a local option law for the sale of such liquors, beverages, or bitters, in incorporated towns or cities in said county having a population of two hundred and fifty or more, approved February 28, 1881.

H. B. 747. To amend section 37 of an act entitled "An act

for the organization and discipline of the volunteer forces of Alabama, approved March 1, 1881 ;”

H. B. 148. To render competent as witnesses in the courts of this State certain persons ;

H. B. 546. To regulate the trial of misdemeanors in the county of Macon ;

H. B. 905. To amend section 573 of the Code ;

H. B. 451. To amend section 4773 of the Code ;

H. B. 554. To authorize the Mayor and Aldermen of the city of Talladega to license and regulate hawkers, peddlers and itinerant dealers in merchandize ;

H. B. 553. To amend section 21 of an act entitled an act to establish a new charter for the city of Talladega, and to repeal all acts in contravention therewith, approved March 1st, 1870 ;

H. B. 413. To repeal section 4 of an act entitled an act to regulate the fine and forfeiture fund of certain counties, approved February 13, 1879, in so far as the same relates to Talladega county ;

H. B. 552. To extend the corporate limits of the city of Talladega ;

H. B. 834. To authorize the issue of a bond of class A in substitution of a bond numbered 2066 of the issue of bonds under the act approved December 4, 1832, “to establish a branch of the Bank of the State of Alabama in the city of Mobile ;”

H. B. 278. To amend an act entitled an act to amend section 3496 of the Code, approved December 7, 1878 ;

H. B. 139. To repeal an act entitled an act to amend section 1544 of the Code, approved March 1, 1881, relating to recommendation necessary to obtain license, so far as the counties of Cullman, is concerned.

H. B. 536. To incorporate “the White Sulphur Springs College,” in DeKalb county, Alabama ;

H. B. 732. To prevent the firing, shooting or exploding fire works of any character in or along the public highways and public streets in the counties of Pike, Clarke, Montgomery and Conecuh.

H. B. 389. To amend section 750 of the Code, so far as relates to the county of Butler ;

H. B. 275. To amend an act entitled an act for the preservation of game animals and birds in Perry county, approved February 26, 1881 ;

H. B. 585. To incorporate the town of Browneville :

H. B. 802. To authorize private business corporations, which may hereafter be organized under the provisions of article 7, chapter 1, part 2, title 1 of the Code, to hold stockholders and directors meetings, and do corporate acts in other States of the Union ;

H. B. 239. For the preservation of game animals and birds in the county of Tuscaloosa ;

H. B. 853. To provide for the collection by suit of any money of the State of Alabama illegally used by any public officer of the State, or illegally received by any person, partnership, or corporation from any public officer, or from any depository, or custodian of any of the money of this State ;

H. B. 811. To make secure the vault and safe of the State treasury ;

H. B. 534. To exempt the organization of the grand and petit juries of the city court of Selma, which was organized at the January term, 1883, from the provisions of an act to regulate the drawing and empanneling of grand and petit juries in Dallas county, approved December 12, 1882 ;

H. B. 772. To form a separate school district in the territory east of Shoal Creek, in township 2, range 10 west, in the county of Lauderdale ;

H. B. 415. To authorize the probate judge of Tallapoosa county to order an election to determine whether spirituous, vinous or malt liquors, or other intoxicating beverages, shall be sold, given away, or otherwise disposed of, in said county—the same being prohibited by an act entitled "An act to prohibit the sale of spirituous, vinous or malt liquors, or other intoxicating beverages, in the counties of Etowah, Cherokee, DeKalb and Tallapoosa," approved February 28, 1881.

H. B. 205. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors, or intoxicating bitters or beverages of any description whatever, at or within certain localities in this State hereinafter designated : At or within three miles of Godfrey High School in Winston county ; at or within two and a half miles of Uchee Academy in Russell county ; at or within three miles of Philadelphia and Liberty churches, in Marion county ; at or within two miles of Saville church and school house, in Crenshaw county ; at or within three miles of Wesley Chapel school house, near Brock's Gap ; at or within three miles of Toadvine

- in Jefferson county; at or within four miles of Friendship Baptist church in Montgomery county, within South Lowell beat, No. 2, Walker county.

H. B. 33. To provide for a re-registration of all claims against the fine and forfeiture fund of Clarke county;

H. B. 266. To abolish the county court of Greene county, and to repeal chapter 6, of title 9, of part 1, and chapter 6, of title 3, of part 5, of the Code of Alabama, so far as the same applies to Greene county;

H. B. 613. To fix the fees of the circuit clerks of Bullock, Tuscaloosa, Perry, Coffee, Pike and Monroe counties in civil cases.

D. W. McIVER, Clerk.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing report of the enrolling committee and House message.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 23, 1883.

Mr. President :

The House has amended, as therein shown, and as amended, has passed the bills :

s. 311. To amend section 6 of an act to amend sections 1385, 1388, 1393, 1395 and 1396 of the Code, approved December 12, 1882.

s. 358. To confer additional powers on the corporate authorities of the city of Montgomery.

And has passed, without amendment, the bill—

s. 259. To authorize M. T. Moody, township superintendent of township 13, range 10, Calhoun county, or his successor in office, to sell certain school property in the town of Cross Plains and re-invest the proceeds in other school property in said town.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The Senate concurred in the House amendments to the bill—

s. 311. To amend section 6 of an act to amend sections 1385, 1388, 1393, 1395 and 1396 of the Code, approved December 12, 1882.

Yeas 19, nays 0.

Yeas—Messrs. Billups, Brooks of Mobile, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Oden, Orr, Pate, Seay, Shelby, Smith, Street, Titcomb, Troy—19.

On motion of Mr. Troy, the Senate non-concurred in the House amendment to the Senate bill No. 358, and asked a conference committee thereon.

Committee on part of the Senate—Messrs. Troy, Davidson and Shelby.

REPORT OF CONFERENCE COMMITTEE.

Mr. Troy, from a committee of conference, submitted the following report :

Mr. President :

The committee of conference on the disagreement of the two houses of the General Assembly as to the substitute of the House of Representatives for the Senate bill—

s. 307. To provide for the payment of the compensation and expenses of the commissioner appointed pursuant to an act "to provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee, and Pickens, arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies, approved December 7, 1882 ;

Have had the same under consideration, and recommend that said substitute be amended by striking out sections 3 and 4 of said substitute, and inserting in place thereof the following :

SECTION 3. *Be it further enacted*, That for services and expenses rendered or incurred by said commissioner for any of said counties after the passage of this act, said commissioner shall receive such compensation as may be agreed upon by the court of county commissioners of the county for

which such services are rendered, to be paid on the order of such court out of the county treasury, and the State shall, in no event, be liable to pay for such future services."

And that said substitute, as thus amended, be adopted.

D. S. TROY,
T. N. McCLELLAN,
Of the Senate.

JNO. W. DOWLING,
S. A. M. WOOD,
GEO. W. SHEALY,

Of the House of Representatives.

On motion of Mr. Grant, the Senate non-concurred in the report aforesaid—yeas 16, nays 10.

Yeas—Messrs. Brewer, Brooks of Mobile, Brown, Gardner, Grant, Jones, Luckie, Mitchell, McSpadden, Oden, Seay, Shelby, Smith, Street, Titecomb, Ware—16.

Nays—Messrs. President, Billups, Brooks of Macon, Hargrove, Norman, McClellan, Orr, Pate, Rushing, Troy—10.

REPORT OF CONFERENCE COMMITTEE.

Mr. Billups, from a conference committee, submitted the following report :

Mr. President :

The committee of conference to whom was referred—

H. B. 779. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters or beverages, at or within certain localities therein named ;

And the amendments adopted thereto by the Senate, have had the same under consideration, and recommend that the House concur in the Senate amendments Nos. 1, 2, 3 and 5.

That amendment No. 4 be amended by striking out all of sub-division 4 of said amendment, except the first four lines of said sub-division 4, and as thus amended that the House concur in this amendment.

That the 6th amendment be amended by striking out the words "at or within three miles of Antioch Baptist church in Talladega county," and by striking out the words "Friend-

ship Academy and church," and as thus amended that the House concur therein.

That the Senate recede from the 7th amendment.

JAS. E. HAWKINS,
 CECIL BROWN,
 S. W. JOHN,
 Of the House.
 J. A. BILLUPS,
 A. L. BROOKS,
 Of the Senate.

The Senate concurred in the report of the conference committee—yeas 23, nays 2.

Yeas—Messrs. Billups, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb—23.
 Messrs. Gardner and Troy voted no.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
 February 23, 1883.

Mr. President :

The House accedes to the request of the Senate for a committee of conference on the bill—

s. 358. To confer additional powers on the corporate authorities of the city of Montgomery.

Committee on the part of the House—

Messrs. Graham, Powell and Reynolds of Talladega.

And requests another committee of conference on the bill—

s. 307. To provide for the payment of the compensation and expenses of the commissioner appointed pursuant to an act to provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee and Pickens, arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies, approved December 7, 1882.

Committee on the part of the House—

Messrs. Wood, Samford and Hammond.

And has passed without amendment the bill—

s. 380. To repeal an act to regulate the publication of legal notices in the county of Crenshaw, approved December 11, 1873.

D. W. McIVER, Clerk.

HOUSE MESSAGE.

The Senate acceded to the request of the House for a new committee of conference on the disagreement of the two houses as to the House amendments to the bill—

s. 307. To provide for the payment of the compensation and expenses of the commissioner appointed pursuant to an act to provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee and Pickens, arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies, approved December 7th, 1882.

Committee on the part of the Senate—
Messrs. Mitchell, Jones and Orr.

REPORTS OF COMMITTEES.

Mr. Hargrove, from the judiciary committee, reported favorably the bill—

H. B. 599. To regulate the collection of debts secured by a pledge of personal property, or securities by sale of the property, or securities so in pledge ;

Which was read a third time and passed—yeas 19, nays 1.

Yeas—Messrs. Billups, Brewer, Brooks of Mobile, Gardner, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Oden, Pate, Seay, Smith, Street, Titcomb, Troy—19.

Mr. Orr voted no.

Mr. Seay, from same committee, reported favorably the bill—

H. B. 197. To relieve Charles R. Long, of Montgomery county, of the disability of non-age ;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Seay, Smith, Street, Thomas, Troy—20.

Also, favorably, the bill—

H. B. 503. To better enforce the working of the public roads in the counties of Montgomery and Hale ;

Which was read a third time and passed—yeas 17, nays 3.

Yeas—Messrs. Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, Pate, Rushing, Seay, Street, Titcomb, Troy—17.

Messrs. Brewer, Orr and Shelby voted no—3.

Also, a substitute for the bill—

H. B. 904. To revive and continue in force the charter of the Chickasaw, Birmingham & Tuscaloosa Railroad Mining and Manufacturing Company, a company chartered under the general law, and empowered to mine and manufacture, and also to fix the rate of passenger transportation, by an act approved March 6, 1875.

The substitute was adopted, with caption as follows :

H. B. 904. To continue in force the charter of the Chickasaw, Birmingham and Tuscaloosa Mining and Manufacturing Company, and to empower said company to consolidate with other companies.

RECESS.

Pending its consideration, at 2 p. m., the Senate took a recess till 3 p. m.

AFTERNOON SESSION.

The Senate re-assembled at 3 p. m.

UNFINISHED BUSINESS.

The bill—

H. B. 904. To revive and continue in force the charter of the Chickasaw, Birmingham & Tuscaloosa Railroad Mining and Manufacturing Company, a company chartered under the general law, and empowered to mine and manufacture, and also to fix the rate of transportation, by an act approved March 6, 1875 ;

Was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Mobile, Davidson, Gardner, Hargrove, Jones, Mitchell, Moorman, McSpadden, Pate, Rushing, Seay, Smith, Street, Thomas, Titcomb, Troy, Ware—20.

Mr. Troy, from a special committee, reported favorably the bill—

H. B. 684. To amend an act entitled an act to prohibit the owner of any horse, mule, ass, cow, hog, sheep or goat, from allowing any such animal to go at large off the premises of such owner, in Montgomery county, except certain portions enumerated and defined herein, and to prescribe a rule of damages and rules of practice in the trials of cases arising under this act, approved December 8th, 1880;

Which was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. President, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Seay, Smith, Street, Titcomb, Troy, Ware—21.

Mr. Brooks of Mobile, from the finance committee, reported favorably the bill—

H. B. 886. To make appropriations for the payment of the railroad commissioners and their clerk, and for other expenses of the railroad commission;

Which was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. President, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Gardner, Hargrove, Jones, Luckie, Mitchell, Moorman, McSpadden, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Titcomb, Troy—21.

Also, favorably, the bill—

H. B. 888. To amend subdivision 18 of section 1 of an act entitled "An act to make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for interest on the public debt, and for the public schools," approved December 12, 1882;

Which was read a third time and passed—yeas 18, nays 0.

Yeas—Messrs. President, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Gardner, Hargrove, Jones, Luckie, Mitchell, Moorman, Orr, Pate, Rushing, Shelby, Smith, Titcomb, Troy—18.

Also, favorably, the bill—

H. B. 889. For the compensation of the assistant librarian for the fiscal years ending September 30, 1883, and September 30, 1884, respectively;

Which was read a third time and passed—yeas 16, nays 5.

Yeas—Messrs. President, Brooks of Mobile, Davidson, Gardner, Griffin, Hargrove, Jones, Luckie, Mitchell, Moorman, McSpadden, Oden, Seay, Smith, Titcomb, Troy—16.

Nays—Messrs. Brewer, Orr, Pate, Rushing, Shelby—5.

Also, favorably, the bill—

H. B. 463. To appropriate the sum of \$577 35 to cover deficiency in the appropriation for fuel and lights for the two years ending September 30, 1882;

Which was read a third time and passed—yeas 19, nays 0.

Yeas—Messrs. President, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Oden, Orr, Rushing, Seay, Smith, Street, Troy—19.

Also, favorably, with an amendment, to the bill—

H. B. 755. For the relief of maimed or disabled soldiers.

The amendment was adopted, as follows:

Amend by adding after the word "labor," where it occurs in the 4th line of the proviso to section 1, the words, "and without this, or some other aid, will suffer for want of the comforts and necessities of life."

The bill was read a third time and passed—yeas 14, nays 4.

Yeas—Messrs. President, Billups, Bowles, Brewer, Gardner, Grant, Hargrove, Luckie, McSpadden, Oden, Orr, Rushing, Troy, Ware—14.

Nays—Messrs. McClellan, Smith, Street, Titcomb—4.

Also, favorably, with amendment, the bill—

H. B. 854. To authorize the Governor to employ an expert accountant to audit and examine the books, accounts and vouchers of all public officers, who receive or pay out any of the public funds.

The amendments were adopted as follows:

Strike out after the words "superintendent of education," in the first sentence of first section, and insert "and warden of the penitentiary."

In section 3 strike out "five" and insert "three."

The bill was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Gardner, Grant, Hargrove, Jones, Luckie, McClellan, Mitchell, McSpadden, Oden, Orr, Pate, Shelby, Smith, Street, Troy, Ware—21.

Mr. McSpadden, from the committee on revision of laws, reported favorably the bill—

H. B. 683. To amend sub-division k of section 5030 of the Code, in relation to the fees of judges of probate.

Which was read a third time and passed—yeas 24, nays 1.

Yeas—Messrs. President, Billups, Brooks of Macon, Brooks of Mobile, Brown, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Oden, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Ware—24.

Mr. Orr voted no.

Mr. Shelby, from the same committee, reported favorably the bill—

H. B. 404. To protect fish in the counties of Madison, Jackson, Marshall, and Morgan.

Which was read a third time and passed—yeas 26, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Oden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Ware—26.

Also, favorably, the bill—

H. B. 459. To regulate the business of co-operative and mutual aid and relief associations, societies and corporations ;

Which was read a third time and passed—yeas 22, nays 1.

Yeas—Messrs. President, Billups, Brooks of Macon, Brooks of Mobile, Brown, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, Moorman, McSpadden, Oden, Pate, Rushing, Seay, Shelby, Street, Titcomb, Troy, Ware—22.

Mr. Orr voted no.

Mr. McSpadden, from the committee on finance, reported favorably, the bill—

H. B. 285. To amend section 823 of the Code ;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb—22.

Mr. Brooks, of Mobile, from the finance committee, reported favorably the bill—

H. B. 623. To authorize and empower the commissioners court of Calhoun and Jefferson counties to allow increased pay to the circuit clerk for his services ;

Which was read a third time and passed—yeas 19, nays 1.

Yeas—Messrs. President, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Grant, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Ware—19.

Mr. Billups voted no.

Also, favorably, the bill—

H. B. 424. For the relief of William K. McConnell, late tax collector of Dallas county ;

Which was read a third time and passed—yeas 27, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Gardner, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—27.

Mr. Hargrove, from the judiciary committee, reported, without recommendation, the bill—

H. B. 846. To render null and void the relation of husband and wife heretofore existing between Sanders Biggins and Phillis Biggins ;

Which was read a third time and passed—yeas 15, nays 6.

Yeas—Messrs. Billups, Brewer, Brooks of Macon, Brooks of Mobile, Gardner, Grant, Griffin, Jackson, McClellan, McSpadden, Pate, Rushing, Smith, Street, Ware—15.

Nays—Messrs. President, Davidson, Hargrove, Luckie, Orr, Troy—6.

Also, favorably, the bill—

H. B. 752. To regulate the fees of circuit solicitors in county courts ;

Which was read a third time and passed—yeas 14, nays 6.

Yeas—Messrs. Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, McClellan, Mitchell, Moorman, Oden, Troy, Ware—14.

Nays—Messrs. Billups, Jones, Orr, Seay, Shelby, Smith—6.

Mr. Mitchell, from the committee on revision of laws, reported favorably the bill—

H. B. 355. To amend an act to amend an act to amend section 1817 of the Code, approved February 11, 1881 ;

Which was read a third time and passed—yeas 21, nays 1.

Yeas—Messrs. President, Brewer, Brooks of Mobile, Brown, Davidson, Gardner, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Rushing, Seay, Smith, Street, Thomas, Titcomb, Troy, Ware—21.

Mr. Orr voted no.

Mr. Brewer, from the committee on internal improvements, reported favorably the bill—

H. B. 255. To amend section 1630 of the Code, so far as the same relates to Jefferson county, and otherwise regulate the working of the public roads in said county ;

Which was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Billups, Brewer, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Moorman, McSpadden, Oden, Orr, Pate, Rushing, Seay, Shelby, Street, Titcomb, Troy, Ware—23.

Mr. Norman, from the committee on privileges and elections, reported favorably, with amendments, the bill—

H. B. 370. To provide for the election of the county superintendent of education and township trustees of public schools by a vote of the people in the counties of Lamar, Coosa, Cherokee, Limestone, Madison, Jackson, Colbert, Franklin, Blount, Lawrence, Marion, Cullman, DeKalb, Walker, Crenshaw, Fayette, Winston, Tallapoosa, Elmore, Etowah and Dale ; and for the election of superintendent of education in Dale county.

The amendments were adopted as follows :

Amend by striking out Limestone county. Also, amend by striking out Elmore and Coosa.

The bill was read a third time and passed—yeas 16, nays 4.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Griffin, Moorman, McSpadden, Orr, Rushing, Shelby, Thomas, Titcomb, Ware—16.

Nays—Messrs. Hargrove, McClellan, Smith, Troy—4.

Mr. Seay, from the judiciary committee, reported favorably the bill—

H. B. 194. To provide that any determination of any matter by the railroad commission of Alabama, in the course of proceedings before said commission, relating to the regulation or supervision of railroad companies, or persons operating any railroad in this State and coming within the jurisdiction of said commission, proof of the fact of such determination so made by the said commission, shall be received in all courts or other proceedings at law or in equity, or before any officer, as *prima facie* evidence that such determination of such matter by the said commission was right and proper ;

Which was read a third time and passed—yeas 26, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Ma-

cen, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—26.

Mr. Brewer, from the committee on internal improvements, reported favorably, the bill—

H. B. 586. To incorporate the Alabama Chemical and Mining company.

Which was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Seay, Shelby, Smith, Titcomb, Troy, Ware—22.

Mr. Mitchell, from the committee on revision of laws, reported favorably the bill—

H. B. 321. To regulate the fine and forfeiture fund of Chilton county;

Which was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Seay, Shelby, Smith, Street, Titcomb, Troy—22.

Mr. McClellan, from the committee on municipal and county organization, reported favorably the bill—

H. B. 524. To fix the fees of justices of the peace in Butler county;

Which was read a third time and passed—yeas 23, nays 0.

Yeas—Messrs. President, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Seay, Shelby, Smith, Street, Titcomb, Troy and Ware—23.

Mr. Hargrove, from the judiciary committee, reported favorably the bill—

H. B. 884. To provide for the prosecution of misdemeanants in the county courts of Marengo county;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Mobile, Gardner, Grant, Griffin, Hargrove, McClellan, Mitchell, Moorman, McSpadden, Orr, Rushing, Seay, Smith, Street, Thomas, Titcomb, Troy—20.

Mr. Titcomb, from the committee on local legislation, reported favorably the bill—

H. B. 476. To provide additional compensation for the sheriff of Baldwin county;

Which was read a third time and passed—yeas 18, nays 0.

Yeas—Messrs. President, Billups, Brooks of Mobile, Gardner, Grant, Hargrove, McClellan, Mitchell, Moorman, McSpadden, Orr, Rushing, Smith, Street, Thomas, Titcomb, Troy, Ware—18.

Mr. Brewer, from the committee on internal improvements, reported favorably the bill—

H. B. 225. To prevent camp hunting in the counties of Marion, Winston and Walker;

Which was read a third time and passed—yeas 18, nays 0.

Yeas—Messrs. President, Billups, Brooks of Mobile, Gardner, Grant, Hargrove, McClellan, Mitchell, Moorman, McSpadden, Orr, Rushing, Smith, Street, Thomas, Titcomb, Troy, Ware—18.

REPORT OF CONFERENCE COMMITTEE.

Mr. Mitchell, from a conference committee, submitted the following report:

Mr. President:

The conference committee, to which was referred the disagreement of the two houses of the General Assembly, as to the substitute of the House of Representatives to the Senate bill—

s. 307. To provide for the payment of the compensation and expenses of the commissioner appointed pursuant to an act to provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee and Pickens, arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies, approved December 7, 1882;

Have had the same under consideration, and recommend that the House recede from its amendment in the nature of

a substitute for the Senate bill and pass the bill as it came from the Senate.

J. B. MITCHELL,
 RICHARD C. JONES,
 J. C. ORR,
 Of the Senate.
 S. A. M. WOOD,
 W. J. SAMFORD,
 P. HAMILTON,
 Of the House.

The report was concurred in—yeas 19, nays 4.

Yeas—Messrs. Billups, Brewer, Brooks of Mobile, Brown, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Mitchell, Orr, Pate, Rushing, Seay, Smith, Street, Titcomb and Ware—19.

Nays—Messrs. President, Brooks of Macon, McSpadden, Troy—4.

MESSAGE FROM THE GOVERNOR BY HIS RECORDING SECRETARY.

EXECUTIVE DEPARTMENT,
 Montgomery, Alabama, February 23, 1883.

To the Senate :

I herewith return to the Senate, where it originated, the bill entitled—

s. 162. "An act for the relief of Mahaley O'Neal, of Randolph county;"

With the objections which withhold me from approving the same.

The object of the bill is to relieve Mahaley, the wife of John O'Neal, from the duties she assumed when she and her husband entered into the marital relations. The reason assigned on the face of the bill for the enactment was, and is, that since that relation was formed, by act of God, the husband has been stricken with insanity, and therefore the wife should be relieved of her duties to her infirm husband and permitted to form new marriage engagements with another man. The relation of marriage imposed upon both parties the duties of comforting and assisting one another during their natural lives, and yet now that the hand of affliction has fallen upon the one, the other seeks to be relieved from her obligation to her husband. I respectfully submit to the General Assembly that the naked statement of the fact is

more than sufficient for my withholding my approval from the bill. The statement also distinctly brings the act within the prohibition contained in § 23, article IV, of the Constitution of this State: "Nor shall the operation of any general law be suspended by the General Assembly for the benefit of any individual, corporation or association." This brief statement of the light in which this bill presents itself to my mind, constrains me from approving this bill.

E. A. O'NEAL, Governor.

The question being, shall the bill pass notwithstanding the veto of the Governor, the bill was lost—yeas 6, nays 17.

Yeas—Messrs. Brewer, Brooks of Mobile, Jackson, McSpadden, Pate, Rushing—6.

Nays—Messrs. President, Billups, Brooks of Macon, Brown, Gardner, Hargrove, Jones, Luckie, McClellan, Moorman, Oden, Orr, Seay, Shelby, Smith, Troy, Ware—17.

JOINT RESOLUTION.

By leave, Mr. Brooks of Macon, offered a joint resolution, extending the time of passage of bills from 7 p. m., to 8 p. m.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 23, 1883.

Mr. President:

The House has passed, without amendments, the bills:

s. 251. To amend section 2126 of the Code.

s. 411. To relieve M. Victoria Sanders of Hale county from the disabilities of non-age.

s. 343. To authorize a subscription by the State to the third volume of Brickell's Digest of Alabama Reports.

And has concurred in the Senate amendments to the bill—

H. B. 370. To provide for the election of the county superintendent of education and township trustees of public schools by a vote of the people in certain counties therein named.

And has passed, without amendment, the bills—

s. 66. To amend section 4355 of the Code.

s. 132. To better secure the payment of fine and costs in criminal cases in the courts of this State.

s. 333. To amend section 7 of an act to confer additional jurisdiction upon the county court of Hale county, and to regulate proceedings therein, approved February 12, 1879.

And has amended, as therein shown, and as amended, has passed the bill—

s. 209. To raise a fund for the benefit of the fire companies in the city of Birmingham.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The Senate concurred in the House amendment to the bill—

s. 209. To raise a fund for the benefit of the fire companies in the city of Birmingham.

Yeas 22, nays 0.

Yeas—Messrs. President, Brewer, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Luckie, McClellan, Moorman, McSpadden, Oden, Pate, Rushing, Seay, Smith, Street, Titcomb, Troy, Ware—22.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 23, 1883.

Mr. President:

The House has passed, without amendment, the bill—

s. 368. To amend section nine (9) of an act entitled an act to provide for the regulation of railroad companies and persons operating railroads in this State, approved February 26, 1881.

And has concurred in the report of the committee of conference on the bill—

s. 358. To confer additional powers on the corporate authorities of the city of Montgomery.

Also, has passed, without amendment, the bills—

s. 397. To amend sections 5, 7, 13, 17, 31, 37, 38 and 40, of an act to establish a new city charter for Eufaula, approved February 20, 1870.

s. 354. To regulate the issuing of license to sell vinous, spirituous or malt liquors in Morgan county.

Also, has adopted the Senate joint resolution relative to extending the time for passage of bills to 8 o'clock, p. m.

And has passed the bill—

s. 287. To incorporate the Dayton Academy.

D. W. McIVER, Clerk.

REPORT OF CONFERENCE COMMITTEE.

Mr. Troy, from the committee of conference, submitted the following report:

Mr. President :

The committee of conference to which was referred the disagreement of the two houses of the General Assembly of Alabama, as to the amendments of the House of Representatives to Senate bill—

s. 358. To confer additional powers on the corporate authorities of the city of Montgomery;

Have had the same under consideration, and recommend that the House of Representatives recede from the third amendment, and that the Senate concur in the first, second and fourth amendments.

D. S. TROY,

D. D. SHELBY,

A. C. DAVIDSON,

Committee on part of the Senate.

R. H. POWELL,

O. M. REYNOLDS,

EDWARD A. GARDNER,

Committee on part of the House.

The Senate concurred in the report of the conference committee.

Yeas 26, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Moorman, McSpadden, Oden, Orr, Pate, Rushing Seay, Shelby, Smith, Street, Titcomb, Troy, Ware—26.

REPORTS OF COMMITTEES.

Mr. McClellan, from the committee on municipal and county organizations, reported favorably the bill—

H. B. 868. To amend section six (6) and fourteen (14) of an act entitled an act to incorporate the town of Ozark in the county of Dale, approved March 19, 1873 ;

Which was read a third time and passed—yeas 19, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Gardner, Jones, McClellan, Moorman, Pate, Rushing, Seay, Smith, Street, Thomas, Titcomb, Troy, Ware—19.

Mr. Troy, from the judiciary committee, reported a substitute for the bill—

H. B. 98. To give landlords of store-houses a lien on the goods of their tenants for rent.

The substitute was adopted, with caption as follows :

H. B. 98. To give landlords of store-houses, dwelling-houses, and other buildings, a lien on the goods of their tenants for rent.

The bill was read a third time and passed—yeas 21, nays 2.

Yeas—Messrs. President, Billups, Brewer, Brooks of Mobile, Davidson, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Rushing, Seay, Smith, Street, Thomas, Troy, Ware—21.

Messrs. Jackson and Shelby voted no.

Mr. Street, from the committee on industrial resources, reported favorably the bill—

H. B. 861. To exempt the stock of parties living in Barbour county from liability for depredation upon the lands in Bullock county where stock is prohibited from running at large ;

Which was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, McClellan, Moorman, McSpadden, Orr, Rushing, Seay, Smith, Street, Thomas, Ware—21.

Mr. Seay, from the committee on local legislation, reported favorably the bill—

H. B. 299. To incorporate the Grand Lodge of Knights of Pythias of the State of Alabama, and the subordinate lodges under its jurisdiction.

Which was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Grant, Griffin, Hargrove, Luckie, McClellan, Mitchell, Moorman, McSpadden, Rushing, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—21.

Mr. Brewer, from the committee on revision of laws, reported favorably the bill—

H. B. 145. To repeal an act approved March 18, 1875, to consolidate the offices of sheriff and tax collector of the county of Fayette;

Which was read a third time and passed—yeas 16, nays 2.

Yeas—Messrs. President, Billups, Brewer, Brooks of Mobile, Hargrove, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Rushing, Seay, Street, Titcomb, Ware—16.

Messrs. Pate and Troy voted no.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 23, 1883.

Mr. President :

The House has passed, without amendment, the bills :

s. 400. To authorize and empower the court of county commissioners of Lee and Pickens counties to settle the bonded indebtedness of said counties, issued for or on account of stock subscribed to railroad companies.

s. 149. To amend section 2097 of the Code.

s. 356. To regulate the time of holding the circuit courts in Cherokee and Etowah counties, in the seventh judicial circuit.

Also, has concurred in the Senate amendments to the bills—

H. B. 904. To revive and continue in force the charter of the Chickasaw, Birmingham & Tuscaloosa Railroad Mining and Manufacturing Company, a company chartered under the general law, and empowered to mine and manufacture, and also to fix the rate of passenger transportation, by an act approved March 6, 1875.

H. B. 755. For the relief of maimed or disabled soldiers.

H. B. 854. To authorize the Governor to employ an expert accountant to audit and examine the books, accounts and vouchers of all public officers who receive or pay out any of the public funds.

And has adopted the report of the conference committee on the bill—

s. 307. To provide for the payment of the compensation and expenses of the commissioner appointed pursuant to an act to provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee and Pickens, arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies, approved December 7th, 1882.

And has amended, by way of substitute, and passed the bill—

s. 123. To prevent cruelty to domestic animals.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The Senate concurred in the House amendment, by way of substitute, to the bill—

s. 123. To prevent cruelty to domestic animals.

Yeas 18, nays 3.

Yeas—Messrs. Billups, Brooks of Mobile, Brown, Grant, Griffin, Hargrove, Jackson, Jones, Luckie, McClellan, Moorman, McSpadden, Orr, Rushing, Smith, Thomas, Titcomb, Ware—18.

Nays—Messrs. Pate, Shelby and Troy—3.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

February 23, 1883.

Mr. President :

The House has concurred in the Senate substitute to the bill :

H. B. 98. To give landlords of store-houses a lien on the goods of their tenants for rent.

• And has amended, as therein shown, and as amended, has passed the bill—

s. 318. To protect the lands, crops and other property of J. W. Sparrow, of Barbour county, from depredations of stock belonging to parties residing in the stock-law district,

in said county, by including the lands of said Sparrow in the stock-law district.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The Senate concurred in the House amendment to the bill—

s. 318. To protect the lands, crops and other property of J. W. Sparrow, of Barbour county, from depredation of stock belonging to parties residing in the stock-law district, in said county, by including the lands of said Sparrow in the stock-law district.

Yeas 20, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Orr, Pate, Rushing, Seay, Smith—20.

REPORTS OF COMMITTEES.

Mr. Titcomb, from the committee on local legislation, reported favorably the bill—

H. B. 633. For the relief of Wm. J. Rountree, sheriff of Dallas county;

Which was read a third time and lost—yeas 7, nays 15.

Yeas—Messrs. Brewer, Brooks of Mobile, Gardner, Griffin, Jones, Thomas, Titcomb—7.

Nays—Messrs. President, Billups, Brown, McClellan, Mitchell, Moorman, Oden; Orr, Pate, Rushing, Seay, Shelby, Smith, Troy, Ware—15.

Also, favorably, the bill—

H. B. 87. To fix the fees of justices of the peace and constables in the port and county of Mobile, and Calhoun and Dallas counties;

Which was read a third time and passed—yeas 18, nays 1.

Yeas—Messrs. President, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Griffin, Hargrove, Jones, McClellan, Mitchell, McSpadden, Orr, Rushing, Smith, Thomas, Titcomb, Troy, Ware—18.

Mr. Pate voted no.

Mr. Brooks, of Macon, from the committee on education, reported favorably the bill—

H. B. 841. To constitute the town of Decatur a separate school district;

Which was read a third time and passed—yeas 20, nays 1.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Griffin, Jones, McClellan, Mitchell, Moorman, McSpadden, Orr, Rushing, Seay, Smith, Thomas, Titcomb, Troy, Ware—20.

Mr. Pate voted no.

Mr. McClellan, from the committee on municipal and county organizations, reported favorably the bill—

H. B. 797. To amend sections 3, 4, 8 and 11 of an act to incorporate the city of Greenville, approved March 9, 1871;

Which was read a third time and passed—yeas 18, nays 1.

Yeas—Messrs. President, Billups, Brooks of Macon, Brooks of Mobile, Griffin, Hargrove, Jones, McClellan, Moorman, McSpadden, Oden, Orr, Rushing, Smith, Thomas, Titcomb, Troy, Ware—18.

Mr. Shelby voted no.

Mr. Titcomb, from the committee on local legislation, reported favorably the bill—

H. B. 377. To authorize Mrs. E. T. Hurley, wife of W. P. Hurley, deceased, late of Pike county, to sell certain lands and personal property lying and being in said county;

Which was read a third time and passed—yeas 19, nays 5.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Gardner, Grant, Griffin, Jones, Luckie, McClellan, Moorman, McSpadden, Orr, Rushing, Smith, Thomas, Titcomb, Ware—19.

Nays—Messrs. President, Hargrove, Pate, Seay, Shelby—5.

Mr. Mitchell, from the committee on revision of laws, reported favorably the bill—

H. B. 665. To amend sections 3, 4 and 6 of an act entitled an act to regulate the fine and forfeiture fund of certain counties, approved February 13, 1879, so far as the same applies to Bullock county;

Which was read a third time and passed—yeas 25, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Brown, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, McSpadden, Norman, Orr, Rushing, Seay, Smith, Street, Thomas, Titcomb, Troy, Ware—25.

Mr. Seay, from the judiciary committee, reported favorably the bill—

H. B. 187. To amend section 15 of an act to provide for the regulation of railroad companies and persons operating railroads in this State, approved February 26, 1881 ;

Which was read a third time and passed—yeas 20, nays 1.

Yeas—Messrs. President, Brewer, Brooks of Mobile, Davidson, Grant, Griffin, Hargrove, Jones, McClellan, Moorman, McSpadden, Norman, Oden, Orr, Rushing, Seay, Smith, Street, Titcomb, Troy—20.

Mr. Billups voted no.

Mr. Hargrove, from the judiciary committee, reported favorably the bill—

H. B. 540. To confer police powers upon the conductors of passenger trains in this State, to provide a punishment for a neglect of their official duties, and for other purposes ;

Which was read a third time and passed—yeas 21, nays 3.

Yeas—Messrs. President, Billups, Brewer, Brooks of Mobile, Davidson, Grant, Griffin, Hargrove, Jones, McClellan, Moorman, McSpadden, Norman, Oden, Orr, Rushing, Seay, Smith, Street, Titcomb, Troy—21.

Messrs. Gardner, Pate and Shelby voted no.

Mr. Brooks, of Macon, from the committee on Education, reported favorably the bill—

H. B. 859. To amend sub-division one (1) of section 13, of article 3, of the act to organize and regulate a system of public instruction for the State of Alabama ;

Which was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Mobile, Brown, Gardner, Grant, Griffin, Hargrove, Luckie, McClellan, Moorman, McSpadden, Oden, Pate, Seay, Smith, Street, Titcomb, Troy, Ware—21.

Mr. Titcomb, from the committee on education, reported favorably the bill—

H. B. 212. To form a separate school district out of townships five and six, ranges twenty-one and two, embracing the Clintonville school in Coffee county ;

Which was read a third time and passed—yeas 21, nays 0.

Yeas—Messrs. President, Billups, Brewer, Brooks of Mobile, Brown, Gardner, Grant, Griffin, Hargrove, Luckie, McClellan, Moorman, McSpadden, Oden, Pate, Seay, Smith, Street, Titcomb, Troy, Ware—21.

Mr. Brooks, of Mobile, from the finance committee, reported favorably the bill—

H. B. 836. To make an appropriation to pay for clerical

expense to the joint committee to examine offices of Auditor and Treasurer, as provided for in sections 34, 35, 36 and 37 of the Code, said expenses being authorized under joint resolution of the General Assembly, passed December, 182-;

Which was read a third time and passed—yeas 22, nays 1.

Yeas—Messrs. President, Billups, Brewer, Brooks of Mobile, Brown, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Orr, Shelby, Smith, Thomas, Titcomb, Troy, Ware—22.

Mr. Pate voted no.

Also, favorably, the bill—

H. B. 915. To make an appropriation for the purpose of making necessary additions and accommodations, for the keeping and filing of the books, records and papers, and property of the State, in the offices of Secretary of State and State Auditor;

Which was read a third time and passed—yeas 21, nays 1.

Yeas—Messrs. Billups, Brewer, Brooks of Mobile, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Orr, Rushing, Smith, Thomas, Titcomb, Troy, Ware—21.

Mr. Pate voted no.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

February 23, 1883.

Mr. President:

The Speaker of the House having signed the following bills, your signature to the same is requested, viz:

H. B. 557. To levy taxes for the use of this State and the counties thereof.

H. B. 558. To provide for the assessment and collection of taxes for the use of this State and the counties thereof, and to define the duties of officers engaged about the said assessment and collection of taxes.

H. B. 714. To prescribe the duties of the tax collector of Marshall and Etowah counties, as to appointments, &c. for the collection of taxes.

H. B. 10. For the relief of Delia Edwards, of Choctaw county, as the adopted heir of Adam Burgess, deceased;

H. B. 441. To authorize the court of county commissioners of Russell county to appoint and employ a superintendent of public roads and bridges in said county;

H. B. 620. To amend an act to amend section 5025 of the Code, so far as the same relates to the county of Blount;

H. B. 719. To authorize John A. Lile, J. Council Baker, and J. N. Wade, securities of S. M. Smith, tax collector of Morgan county for the years 1875, 1876 and 1877, to collect the unpaid taxes for said years, for the purpose of reimbursing them for moneys paid the State;

H. B. 567. To re-transfer to the circuit court of Clarke county all indictments transferred to the county court, under the act "in relation to the trial of misdemeanors in Tuscaloosa and other counties therein named, approved March 19, 1875, when the judge of the county court is incompetent to try the same."

D. W. McIVER, Clerk.

ENROLLED BILLS.

Mr. Orr, from committee on enrolled bills, reported the following bills correctly enrolled:

s. 411. To relieve M. Victoria Saunders, of Hale county, from the disabilities of non-age.

s. 354. To regulate the issuing of license to sell vinous, spirituous or malt liquors in Morgan county.

s. 307. To provide for the payment of the compensation and expenses of the commissioner appointed pursuant to an act to provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee and Pickens, arising from bonds issued by said counties in the payment of stock subscribed to the capital stock of railroad companies, approved December the 7th, 1882.

s. 311. To amend section six (6) of an act to amend sections 1385, 1388, 1393, 1395 and 1396 of the Code, approved December 12, 1882.

s. 209. To raise a fund for the benefit of the fire companies of the city of Birmingham.

s. 132. To better secure the payment of fines and costs in criminal cases in the courts of this State.

s. 343. To authorize a subscription by the State to the third volume of Brickell's Digest of the Alabama Reports.

s. 333. To amend section 7 of an act to confer additional jurisdiction upon the county court of Hale county, and to regulate proceedings therein, approved February 12, 1879.

s. 221. To provide for the appointment of an official stenographer for the city courts of Montgomery and Dallas, and other courts held in said counties, and to define his duties and regulate his compensation;

s. 259. To authorize M. T. Moody, township superintendent of township 13, range 10, Calhoun county, or his successor in office, to sell certain school property in the town of Cross Plains and re-invest the proceeds in other school property in said town.

s. 246. To prevent stock from running at large in China Grove beat in Pike county;

s. 380. To repeal an act to regulate the publication of legal notices in the county of Crenshaw, approved December 11, 1873.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set out in the foregoing House message and report of enrolling committee.

REPORTS OF COMMITTEES.

Mr. Hargrove, from the judiciary committee, reported favorably the bill—

H. B. 279. In relation to trials for misdemeanors in Walker county;

Which was read a third time and passed—yeas 20, nays 0.

Yeas—Messrs. President, Billups, Brooks of Macon, Brooks of Mobile, Davidson, Gardner, Griffin, Hargrove, Jones, McClellan, Mitchell, McSpadden, Norman, Oden, Orr, Pate, Rushing, Smith, Titcomb, Ware—20.

Mr. Titcomb, from the committee on local legislation, reported favorably the bill—

H. B. 547. To authorize and empower the commissioners court of Macon county to establish and define districts in said county in which stock shall be prevented from running at large, and to provide for the enforcement of the orders of said county establishing and defining said districts;

Which was read a third time and passed—yeas 19, nays 2.

Yeas—Messrs. President, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Grant, Griffin, Jones, Luckie, McClel-

lan, Mitchell, Moorman, Rushing, Seay, Smith, Street, Thomas, Titcomb, Ware—19.

Messrs. Orr and Shelby voted no.

Mr. Hargrove, from the judiciary committee, reported favorably the bill—

H. B. 660. To declare the legal obligation of sureties on official bonds ;

Which was read a third time and passed—yeas 25, nays 1.

Yeas—Messrs. President, Billups, Brewer, Brooks of Macon, Brooks of Mobile, Davidson, Gardner, Grant, Griffin, Hargrove, Jones, Luckie, McClellan, Mitchell, Moorman, McSpadden, Rushing, Seay, Shelby, Smith, Street, Thomas, Titcomb, Troy, Ware—25.

Mr. Orr voted no.

RECESS.

At 8 p. m., in accordance with the joint resolution, the Senate took a recess till 10 p. m.

EVENING SESSION.

At 10 o'clock p. m., the Senate re-assembled, and on motion of Mr. Troy, went into

EXECUTIVE SESSION.

At 10:30 p. m., the executive session being dissolved the doors were opened and the regular order was resumed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

February 23, 1883.

Mr. President :

The Speaker of the House having signed the following bills, your signature to the same is requested, viz :

H. B. 145. To repeal an act approved March 18, 1875, to consolidate the offices of sheriff and tax collector of the county of Fayette.

H. B. 187. To amend section 15 of an act entitled an act to provide for the regulation of railroad companies and persons operating railroads in this State, approved February 26th, 1881.

H. B. 212. To form a separate school district out of townships 5 and 6, ranges 21 and 22, embracing the Clintonville school in Coffee county.

H. B. 299. To incorporate the Grand Lodge of the Knights of Pythias of the State of Alabama, and the subordinate lodges under its jurisdiction.

H. B. 377. To authorize Mrs. E. F. Hurley, wife of W. P. Hurley, deceased, late of Pike county, to sell certain lands and personal property lying and being in said county.

H. B. 503. To better enforce the working of the public roads in the counties of Montgomery and Hale.

H. B. 915. To make an appropriation for the purpose of making necessary additions and accommodations for the keeping and filing of the books, records and papers, and property of the State, in the office of the Secretary of State and State Auditor.

H. B. 868. To amend sections six (6) and fourteen (14) of an act to incorporate the town of Ozark, in the county of Dale, approved March 19, 1873.

H. B. 161. To exempt the stock of parties living in Barbour county from liability for depredations on lands in Bullock county, where stock is prohibited from running at large.

H. B. 285. To amend section 823 of the Code.

H. B. 476. To provide additional compensation for the sheriff of Baldwin county.

H. B. 194. To provide that any determination of any matter by the railroad commission of Alabama, in the course of proceedings before said commission, relating to the regulation or supervision of railroad companies, or persons operating any railroad in this State, and coming within the jurisdiction of said commission, proof of the fact of such determination so made by said commission, shall be received in all courts, or other proceedings at law or in equity, or before any officer, as *prima facie* evidence that such determination of such matter by the said commission was right and proper.

H. B. 355. To amend an act to amend an act to amend section 1817 of the Code, approved February 11, 1881.

H. B. 98. To give landlords of store-houses, dwelling-houses, and other buildings a lien on the goods of their tenants for rent.

H. B. 586. To incorporate the Alabama Chemical and Mining Company.

H. B. 836. To make an appropriation to pay for clerical expenses to the joint committee to examine offices of Auditor and Treasurer, as provided for in sections 34, 35, 36 and 37 of the Code, said expenses being authorized under joint resolution of the General Assembly, passed December, 1882.

H. B. 775. For the relief of maimed or disabled soldiers.

H. B. 547. To authorize and empower the commissioners court of Macon county to establish and define districts in said county in which stock shall be prevented from running at large, and to provide for the enforcement of the orders of said court establishing and defining said districts.

H. B. 623. To authorize and empower the commissioners court of Calhoun and Jefferson counties to allow increased pay to the circuit clerk for his services.

H. B. 683. To amend sub-division k, of section 5030 of the Code, in relation to fees of judges of probate.

H. B. 889. For the compensation of the assistant librarian for the fiscal years ending September 30th, 1883, and September 30th, 1884, respectively.

H. B. 888. To amend sub-division 18, of section 1, of an act entitled an act to make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State for interest on the public debt and for public schools, approved December 12, 1882.

H. B. 884. To provide for the prosecution of misdemeanants in the county court of Marengo county.

H. B. 854. To authorize the Governor to employ an expert accountant to audit and examine the books, accounts and vouchers of all public officers who receive or pay out any of the public funds.

H. B. 665. To amend sections 3 and 4 of an act entitled an act to regulate the fine and forfeiture fund of certain counties, approved February 13, 1879, so far as the same applies to Bullock county.

H. B. 797. To amend sections 3, 4, 8 and 11 of an act to incorporate the city of Greenville, approved March 9, 1871.

H. B. 841. To constitute the town of Decatur as a separate school district.

H. B. 279. In relation to trials of misdemeanors in Walker county.

H. B. 660. To declare the legal obligations of sureties on official bonds.

H. B. 524. To fix the fees of justices of the peace in Butler county.

H. B. 370. To provide for the election of the county superintendents of education and township trustees of public schools by a vote of the people in the counties of Lamar, Cherokee, Madison, Jackson, Colbert, Franklin, Blount, Lawrence, Marion, Cullman, DeKalb, Walker, Crenshaw, Fayette, Winston, Tallapoosa, Etowah and Dale, and for the election of superintendent of education in Dale county.

H. B. 859. To amend sub-division 1, section 13, article 3, of the act to organize and regulate a system of public instruction for the State of Alabama.

H. B. 404. To protect fish in the counties of Madison, Jackson, Morgan and Marshall.

H. B. 904. To revive and continue in force the charter of the Chickasaw, Birmingham and Tuscaloosa Railroad Mining and Manufacturing Company.

H. B. 463. To appropriate the sum of five hundred and seventy-seven and 85-100 dollars to cover deficiency in the appropriation for fuel and lights for the two years ending September 30th, 1882.

H. B. 684. To amend an act entitled an act to prohibit the owners of any horse, mule, ass, cow, hog, sheep or goat, from allowing any such animal to go at large off the premises of such owner in Montgomery county, except certain portions enumerated and defined herein, and to prescribe a rule of damages and rules of practice in cases arising under this act, approved December 8th, 1880.

H. B. 779. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages, at or within certain localities in this State.

H. B. 599. To regulate the collection of debts secured by a pledge of personal property or securities so in pledge.

H. B. 424. For the relief of Wm. K. McConnell, late tax collector of Dallas county.

H. B. 197. To relieve Charles R. Long, of Montgomery county, of the disabilities of non-age.

H. B. 873. To authorize the court of county commissioners of Hale county to furnish tools for working the public roads.

H. B. 430. To prevent stock from running at large in certain portions of Hale county.

H. B. 818. To empower the court of county commissioners of Hale county to extend the limits of the Canebrake Agricultural District, in said county, and to establish other agricultural districts in said county, upon petition of a majority of land-owners in any beat or district to be effected thereby.

H. B. 255. To amend section 1630 of the Code so far as the same relates to Jefferson county, and otherwise regulate the working of the public roads in said county.

H. B. 752. To regulate the fees of circuit solicitors in county courts.

H. B. 502. To establish a department of agriculture for the State of Alabama.

H. B. 459. To regulate the business of co-operative and mutual aid and relief association societies and corporations.

H. B. 321. To regulate the fine and forfeiture fund of Chilton county.

H. B. 540. To confer police power upon the conductors of passenger trains in this State, to provide a punishment for a neglect of their official duties, and for other purposes.

H. B. 225. To prevent camp hunting in the counties of Marion, Winston and Walker.

H. B. 87. To fix the fees of justices of the peace and constables in the port and county of Mobile, Calhoun and Dallas counties.

H. B. 886. To make appropriations for the payment of the railroad commissioners and their clerk, and other expenses of the railroad commission.

H. B. 846. To render null and void the relation of husband and wife heretofore existing between Sanders Biggins and Phyllis Biggins.

D. W. McIVER, Clerk.

ENROLLED BILLS.

Mr. Orr, from the committee on enrolled bills, reported the following bills correctly enrolled :

s. 356. To regulate the time of holding the circuit courts in Cherokee and Etowah counties, in the 7th judicial circuit.

s. 251. To amend section 2126 of the Code.

s. 497. To amend sections 5, 7, 13, 17, 31, 38 and 40, of an act to establish a new city charter for Eufaula, approved February 28, 1870.

s. 368. To amend section nine (9) of an act entitled an act to provide for the regulation of railroad companies, and persons operating railroads in this State, approved February 26, 1881.

s. 66. To amend section 4355 of the Code.

s. 123. To prevent cruelty to animals.

s. 287. To incorporate Dayton Academy.

s. 400. To authorize and empower the court of county commissioners of Lee and Pickens counties to settle the bonded indebtedness of said counties, issued for or on account of stock subscribed to railroad companies.

s. 149. To amend section 2097 of the Code.

s. 318. To protect the lands, crops and other property of J. W. Sparrow and John R. Hayes, of Barbour county, from depredations of stock belonging to parties residing in the stock-law districts, in said county, by including the lands of said Sparrow and Hayes in the stock-law district.

s. 358. To confer additional powers on the corporate authorities of the city of Montgomery.

SIGNING OF BILLS.

The President of the Senate, in the presence of the Senate, immediately after their titles had been publicly read, signed the bills, the titles of which are set forth in the foregoing report of enrolling committee and House message.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., February 23, 1883.

Mr. President :

The Governor has approved the following bills, which originated in the Senate.

s. 221. To provide for the appointment of an official stenographer for the city courts of Montgomery and Dallas counties, and other courts held in said counties, and to define his duties and regulate his compensation.

s. 246. To prevent stock from running at large in China Grove beat, in Pike county.

s. 259. To authorize M. T. Moody, township superintendent of township 13, range 10, Calhoun county, or his suc-

cessor in office, to sell certain school property in the town of Cross Plains and re-invest the proceeds in other school property in said town.

s. 380. To repeal an act to regulate the publication of legal notices in the county of Crenshaw, approved December 11, 1873.

s. 354. To regulate the issuing of license to sell vinous, spirituous or malt liquors in Morgan county.

s. 132. To better secure the payment of fines and costs in criminal cases in the courts of this State.

s. 307. To provide for the payment of the compensation and expenses of the commissioner appointed pursuant to an act to provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee and Pickens, arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies, approved December 7, 1882.

s. 311. To amend section 6 of an act to amend sections 1385, 1388, 1393, 1395 and 1396 of the Code, approved December 12, 1882.

s. 335. To amend section 7 of an act to confer additional jurisdiction upon the county court of Hale county, and to regulate proceedings therein, approved February 12, 1879.

s. 343. To authorize a subscription by the State to the third volume of Brickell's Digest of the Alabama Reports.

s. 241. To assist the University of Alabama and the State Agricultural and Mechanical College in furnishing additional room for students and facilities for instruction.

s. 66. To amend section 4355 of the Code.

s. 123. To prevent cruelty to animals.

s. 149. To amend section 2097 of the Code.

s. 209. To raise a fund for the benefit of the fire companies in the city of Birmingham.

s. 251. To amend section 2126 of the Code.

s. 287. To incorporate Dayton Academy.

s. 318. To protect the lands, crops and other property of J. W. Sparrow and John R. Hayes, of Barbour county, from depredations of stock belonging to parties residing in the stock-law district, in said county, by including the lands of said Sparrow and Hayes in the stock-law district.

s. 356. To regulate the time of holding the circuit courts in Cherokee and Etowah counties, in the seventh judicial circuit.

s. 358. To confer additional powers on the corporate authorities of the city of Montgomery.

s. 368. To amend section nine (9) of an act entitled "An act to provide for the regulation of railroad companies and persons operating railroads in this State," approved February 26, 1881.

s. 397. To amend sections 5, 7, 13, 17, 31, 37, 38 and 40 of an act to establish a new city charter for Eufaula, approved February 28, 1870.

s. 400. To authorize and empower the court of county commissioners of Lee and Pickens counties to settle the bonded indebtedness of said counties, issued for or on account of stock subscribed to railroad companies.

s. 411. To relieve M. Victorie Saunders, of Hale county, from the disabilities of non-age.

s. 98. To repeal an act to fix the pay of the sheriff of Coffee county, approved March 1st, 1881;

s. 186. To permanently locate the seat of justice in Morgan county.

s. 200. To regulate the fine and forfeiture fund of Barbour, Elmore, Autauga, Blount, Etowah and Chambers counties.

s. 244. To provide for the voluntary payment of taxes in Lee, Chambers, Tallapoosa and Pickens counties.

s. 274. To amend section 5 of an act to establish a new charter for the city of Demopolis, approved March 28, 1873.

s. 304. To authorize the court of county commissioners of Marion county to levy and collect a special tax not exceeding three-fourths of one per centum on the taxable property in said county for the purpose of paying for the erection of the court-house and jail of said county.

s. 314. To amend an act entitled "An act to amend section one of an act to define the corporate limits of the city of Wetumpka."

s. 315. To amend section 3 of an act to alter and amend the charter of the town of Camden, in Wilcox county, Alabama, approved February 8, 1858.

s. 328. To authorize the commissioners court of Conecuh county to allow the probate judge of said county compensation for services therein specified.

s. 377. To amend section 79 of an act to incorporate the city of Tuscaloosa, approved March 12, 1873.

s. 388. To make an appropriation to pay the expenses of the joint committee to investigate the accounts, conduct, bond, &c., of I. H. Vincent, late Treasurer of Alabama.

- s. 141. To amend section 1811 of the Code.
- s. 145. To regulate the fees of witnesses, for the State in criminal cases.
- s. 165. To empower the Railroad Commission of Alabama to recommend joint local rates on freight to railroad companies and persons operating railroads in this State.
- s. 193. To prevent monopolies in the transportation of freight, and to secure free and fair competition in the same.
- s. 295. To provide for the comfort and accommodation of passengers at each of the passenger depots along the line of every railroad operated by any railroad company or person in this State.
- s. 360. To regulate the times of holding the circuit courts of Talladega and Clay counties in the 7th judicial circuit.
- s. 410. To avoid an election for members of the courts of county commissioners of the several counties of this State during the year 1883, and to extend the term of office of the members of said courts of county commissioners.

W. G. HUTCHESON,
Recording Secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 23, 1883.

Mr. President :

The House has adopted a joint resolution, herewith sent—
Relative to the appointment of a joint committee to wait on the Governor to ascertain if he has any further communication to make.

Committee on the part of the House—
Messrs. Simpson, Grisham and Broyles.

D. W. McIVER, Clerk.

HOUSE MESSAGES.

The House joint resolution set out in the above message, was concurred in ;

And the President appointed as the committee on the part of the Senate—

Messrs. Seay and Hargrove.

RESOLUTION OF THANKS.

Mr. Billups offered a resolution as follows :

Resolved, That the thanks of the Senate are hereby tendered to General George P. Harrison, jr., President of the Senate, for his impartiality, promptness and courtesy during the deliberations of the Senate, now about to close ; also to Mr. Clay, Secretary, and Mr. Clark, Assistant Secretary, and to all other officers of the Senate.

Mr. Brooks of Macon, offered an amendment to the resolution, which was adopted, as follows :

" And that as a token of our respect for the Hon. Geo. P. Harrison, jr., President of the Senate, the gavel used by him during this session be and the same is hereby presented to him.

The resolution, as amended, was adopted.

Mr. Oden offered a resolution, as follows :

Resolved, That, at the request of Hon. Thos. Seay, the Senator from Hale, our efficient Secretary, Wm. L. Clay, be presented with the pen lent him on several occasions by said Senator, as a token of our appreciation of the faithful performance of his official duties.

Adopted.

REPORT OF COMMITTEE TO WAIT ON THE GOVERNOR.

Mr. President:

The joint committee of the two Houses, appointed to wait on the Governor to ascertain if he has any other communication to make to the General Assembly, report that the Governor stated that he had no further communication to make.

THOS. SEAY,

A. C. HARGROVE,

Committee on part of the Senate.

R. T. SIMPSON,

JOSEPH GRESHAM.

W. H. BROYLES,

Committee on part of the House.

FINAL ADJOURNMENT.

The hour of 12 p. m. having arrived, the President of the Senate, after returning his thanks in brief and eloquent

terms for the kind consideration shown him during the session, announced that in accordance with the joint resolution and the Constitution of the State the Senate stood adjourned *sine die*.

GEO. P. HARRISON, JR.,
President of the Senate.

Attest:

WM. L. CLAY,
Secretary of the Senate.

REGISTER OF BILLS, JOINT RESOLUTIONS, MEMORIALS AND PETITIONS,

ORIGINATED IN THE SENATE DURING THE SESSION OF 1882-83.

PRESIDENT—

- s. 100. Petition of citizens of Colbert county against the repeal of the act amending section 4109 of the Code, so far as it relates to that county.
Nov. 25, made special order for Tuesday next.
Nov. 28, referred to local legislation.

PRESIDENT—

- s. 184. Petitions of citizens of Opelika, asking the repeal of the present charter of that city and the enactment of a new charter.
Dec. 6, referred to judiciary.

PRESIDENT—

- s. 185. A communication from the mayor and aldermen of the city of Opelika, upon the repeal of the charter of said city and the enactment of a new charter for the same.
Dec. 7, referred to judiciary.

PRESIDENT—

- s. 402. Petition of citizens of Colbert county against repealing the sunrise and sunset law.
Feb. 14, referred to revision of laws.

BILLUPS—

- s. 53. To repeal an act to prohibit the sale, disposing of spirituous, vinous or malt liquors, or intoxicating beverages and bitters within the limits of the

counties of Monroe, Escambia, and Pickens, approved Feb. 23, 1881, so far as it relates to the county of Pickens.

Nov. 18, read first time. Nov. 20, read second, referred to temperance. Nov. 25, reported favorably, read third, passed. Dec. 9, House passed. Dec. 11, signed, approved.

BILLUPS—

- s. 70. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages, within three miles of Soule's chapel church, in Pickens county. Nov. 22, read first time. Nov. 23, read second, referred to temperance. Nov. 25, reported favorably, read third, passed. Dec. 11, passed House. Dec. 12, signed, approved.

BILLUPS—

- s. 179. For the relief of the tax assessor of Pickens county. Dec. 6, read first time. Dec. 7, read second, referred to local legislation. Feb. 9, reported favorably, postponed, made special order for to-morrow. Feb. 12, taken up, read third, and passed.

BILLUPS—

- s. 268. To amend section 3259 of the Code. Jan. 29, read first time. Jan. 30, read second, referred to judiciary.

BILLUPS—

- s. 269. To fix the *per diem* and mileage of the county commissioners of Pickens county. Jan. 29, 1883, read first time. Jan. 30, read second, referred to local legislation. Feb. 9, reported favorably, read third, passed.

BILLUPS—

- s. 270. To protect landlords against loss and damage by tenants, renters and others holding lands and premises under such landlords. January 29, read first time. January 30, read second, referred to judiciary.

BILLUPS—

- s. 271. To prohibit the manufacture and sale of spirituous, vinous or malt liquors, or intoxicating bitters, within three miles of the following Methodist Episcopal churches in Pickens county: Hannah church, Hargrove church, Arbor Spring church and Evergreen church, in said county.
January 29, read first time. January 30, read second, referred to temperance. February 15, reported substitute, adopted, read third, passed.

BILLUPS—

- s. 272. To provide for the current expenses of Pickens county during the vacancy of tax collector for said county.
January 29, read first time. January 30, read second, referred to special committee on that subject. February 10, reported amendment, read third, passed.

BILLUPS—

- s. 332. To prohibit the manufacture and sale of spirituous, vinous or malt liquors within four miles of Unity church, in Pickens county.
February 3, 1883, read first time. February 5, read second, referred to temperance.

BILLUPS—

- s. 361. To fix the compensation of sheriffs for attending chancery courts in this State.
February 7, read first time. February 8, read second. February 19, reported favorably, read third, passed.

BOWLES—

- s. 55. To amend sections 3286, 3287 and 3288 of the Code.
November 18, read first time. November 20, read second, referred to revision of laws.

BOWLES—

- s. 87. To amend section 3113 of the Code.

November 23, read first time. November 24, read second, referred to revision of laws. December 1, reported favorably, read third, passed.

BOWLES—

- §. 99. To amend section 2670 of the Code.
November 24, read first time. November 25, read second, referred to revision of laws. February 7, reported favorably, read third, passed.

BOWLES—

- s. 117. To provide for the appointment of not exceeding two marshals for each precinct in the several counties in the State, who shall be bonded officers, and who shall have the same powers and be subject to the same laws, governing the actions of constables, and entitled to the same fees.
November 27, read first time. November 28, read second, referred to judiciary. January 26, reported substitute, adopted, read third, passed—
(caption amended.)

BOWLES—

- s. 180. To repeal an act to regulate the number of persons drawn to serve as grand and petit jurors for the counties of Fayette, Lamar, Washington, Cherokee, Marion, St. Clair, Monroe, Calhoun, Franklin, Colbert, Cleburne, Escambia, Coffee, Baldwin, Pike, Talladega, Blount, Crenshaw, Clay, Cullman and Lawrence, approved February 13, 1879, so far as the same relates to Crenshaw county.
December 6, read first time. December 7, read second, referred to revision of laws. February 7, reported favorably, read third, passed.

BOWLES—

- s. 290. Authorizing the Governor to relieve the owners of State bonds, who have lost the same, upon obtaining satisfactory indemnity for the State.
January 3, read first time. January 31, read second, referred to finance.

BOWLES—

- s. 306. To amend section 449 of the Code.
January 31, read first time. February 1, read second, referred to judiciary.

BOWLES—

- s. 317. To provide for holding teachers' institutes in the several counties of the State.
February 1, read first time. February 2, read second, referred to education.

BREWER—

- s. 8. To refund certain moneys paid to the State and counties.
November 13, read first time. November 16, read second, referred to finance. November 24, reported substitute, adopted, (caption amended), read third, passed. January 27, House passed. January 29, signed. January 30, approved.

BREWER—

- s. 29. To repeal an act to increase the pay of jurors and witnesses in Lowndes county, approved December 16, 1853.
November 16, read first time. November 17, read second, referred to finance. November 24, reported favorably, read third, passed. December 4, House passed. December 5, signed, approved.

BREWER—

- s. 35. To amend section 1630 of the Code.
November 17, read first time. November 18, read second, referred to internal improvements.

BREWER—

- s. 109. To diminish the public debt of the State.
November 25, read first time. November 27, read second, referred to finance. January 26, reported favorably, postponed, made special order for Wednesday. January 31, tabled.

BREWER—

- s. 125. To sell a certain plantation belonging to the State, called the State convict farm, purchased of Thomas Williams.
 Nov. 29, read first time. Dec. 1, read second, referred to finance. Dec. 8, reported favorably, amended, read third, passed, ordered to House. Dec. 11, House amended, passed, Senate non-concurs in House amendment. Dec. 12, House insists, asked for committee of conference, Senate acceded, House and Senate concur in report of conference committee, signed, approved.

BREWER—

- s. 187. To remove the estate of Mary A. Harrell, deceased, from Butler county to Lowndes county.
 Dec. 7, read first time. Dec. 8, read second, referred to local legislation. Jan. 26, reported favorably, read third, passed. Feb. 14, House passed. Feb. 15, signed. Feb. 16, approved.

BREWER—

- s. 206. To repeal section two (2) of an act to amend sections 4330 and 4331 of the Code, in so far as the same applies to the county of Lowndes, approved Feb. 7, 1877.
 Dec. 11, read first. Dec. 12, read second, referred to revision of laws.

BREWER—

- s. 237. To amend an act to prohibit the sale or giving away of spirituous, vinous or malt liquors in Lowndes county, except in corporate cities and towns, approved February 26, 1881.
 January 25, read first time. January 26, read second, referred to temperance. February 17, reported amendment, adopted, read third, passed.

BREWER—

- s. 238. To amend section eight (8) of an act to secure humane treatment to prisoners, approved December 6, 1880.

January 25, read first time. January 26, read second, referred to penitentiary.

BREWER—

- s. 261. To amend section (1) of an act for the preservation of game animals and birds in the counties of Mobile, Monroe, &c., approved 13th February, 1879. January 27, read first time. January 29, read second, referred to internal improvements. February 13, reported amendments, adopted, read third, and passed.

BREWER—

- s. 273. To incorporate the town of Fort Deposit, in the county of Lowndes. January 29, read first time. January 30, read second, referred to municipal and county organizations. February 12, reported amendment, adopted, read third, passed.

BREWER—

- s. 284. To authorize John A. Sanderson, administrator of the estate of E. L. Sanderson, deceased, of Montgomery county, to sell a lot of land belonging to said estate at private sale. January 30, read first time. January 31, read second, referred to judiciary.

BREWER—

- s. 325. To amend section three (3) of an act to provide for the official declaration of election of certain officers in this State, and to prescribe a time in which official bonds shall be given, approved 10th February, 1881. February 2, read first. February 1, read second, referred to revision of laws. February 19, reported favorably, read third, passed.

BREWER—

- s. 326. To dispose of any surplus that may be in the State Treasury in excess of the sum of one hundred thousand dollars, at the close of each fiscal year.

February 2, read first time. February 3, read second, referred to finance.

BREWER—

- s. 353. To authorize and require the Governor of the State to appoint a competent person to examine and investigate the condition of the offices of State Treasurer, State Auditor, State Superintendent of Education, and Warden of the Penitentiary. February 6, read first time. February 7, read second, referred to revision of laws. February 17, reported amendment, adopted, read third, passed.

BREWER—

- s. 365. To authorize the Governor, the State Auditor, and the State Treasurer of the State to settle the claims of the State against Isaac H. Vincent, late State Treasurer, and his sureties on his several bonds, and any other person, firm or corporation liable to the State for money of the State obtained from said Vincent, or property obtained with money so used, with any of said parties. February 8, read first time. February 9, read second, referred to judiciary. February 15, reported amendment, adopted, recommitted to special committee, made special order to-morrow after journal, and from day to day. February 16, reported amendment, adopted, read third, passed. February 21, House passed, signed. February 23, approved.

BROOKS OF MACON—

- s. 148. To provide for the collection of debts for which the statutory estate of married women are liable, when judgment is in justice's court. December 2, read first time. December 4, read second, referred to judiciary. January 31, reported favorably, read third, passed.

BROOKS OF MACON—

- s. 245. To constitute the town of Tuskegee a separate school district.

January 26, read first time. January 27, read second, referred to education. February 12, reported favorably, read third, passed.

BROOKS OF MACON—

- s. 363. To incorporate the Tuskegee fire company.
February 8, read first time. February 9, read second, referred to internal improvements.

BROOKS OF MACON—

- s. 380. To repeal an act to regulate the publication of legal notices in the county of Crenshaw, approved December 11, 1873.
February 9, read first time. February 10, read second, referred to judiciary. February 15, returned, recommitted to printing, reported favorably, read third, passed. February 23, House passed, signed, approved.

BROOKS OF MACON—

- s. 385. Petition for amendment of the prohibition law for Tallapoosa county, and retaining the same.
February 10, referred to temperance.

BROOKS OF MACON—

- s. 400. To authorize and empower the court of county commissioners of Lee county to settle the bonded indebtedness of said county, issued for or on account of stock subscribed to railroad companies.
February 13, read first time. February 14, read second, referred to finance (caption amended). February 15, recommitted to special committee on that subject, reported favorably, read third, passed. February 23, Houses passes, signed, approved.

BROOKS OF MOBILE—

- s. 320. To amend sections 1830, 1831 and 1838 of the Code.
February 2, read first time. February 3, read second, referred to judiciary. February 17, reported amendment, adopted, read third, passed.

BROOKS OF MOBILE—

- s. 44. To amend an act to amend sections 1400 and 1401 of the Code, approved March 1, 1881.
November 17, read first time. November 18, read second, referred to special committee. November 20, reported favorably, read third, passed, ordered to House. November 23, House passed. November 24, signed. November 25, approved.

BROOKS OF MOBILE—

- s. 63. To authorize the purchase of the roadbed of any turnpike, macadamized, planked, shelled or other improved road previously belonging to and used as a toll road by any corporation created under the general laws of Alabama for that purpose, to constitute themselves into a body politic and corporate.
Nov. 20, read first time. Nov. 21st, read second, referred to judiciary. Nov. 29th, reported favorably, read third, passed. December 7th, House amends, passes. Senate concurs. December 8, signed, approved.

BROOKS OF MOBILE—

- s. 119. To amend sections 1385, 1388, 1393, 1395, 1396 and 1399 of the Code.
November 28th, read first time. November 29th, read second, referred to local legislation. December 4, reported favorably, read third, passed, ordered to House. December 4th, House passed. December 12th, signed, approved.

BROOKS OF MOBILE—

- s. 120. To amend sections 1376, 1380, 1381 and 1383 of the Code (Harbor Masters and Port Wardens at Mobile).
November 28th, read first time. November 29th, read second, referred to local legislation. December 4, reported favorably, read third, passed, ordered to House. December 11, House passed. December 12, signed, approved.

BROOKS OF MOBILE—

- s. 131. Joint resolutions requesting Senators of Alabama in Congress of the United States to vote for a bill with regard to mineral lands.
November 29, amended and adopted, (caption is as amended). December 12, signed, approved.

BROOKS OF MOBILE—

- s. 174. To provide for the better enforcement of sections 4208 and 4445 of the Code.
December 5, read first time. December 7, read second, referred to judiciary. January 26th, reported favorably, read third, passed.

Also—

- s. 250. Petitions of the citizens of Mobile county against the enactment of any law interfering with the liquor traffic in said county.
January 26, referred to temperance.

Also—

- s. 311. To amend section six (6) of an act to amend sections 1385, 1388, 1393, 1395 and 1396 of the Code, approved December 12, 1882.
January 30, read first time. February 1, read second, referred to special committee. February 2, reported amendment, adopted, read third, passed. February 23, House amended, passed, Senate concurs, signed, approved.

Also—

- s. 334. Joint memorial asking the passage by the Congress of the United States of Senate bill number 2424, entitled a bill to continue the work of improvement on the bay, port and harbor of Mobile, and joint resolution asking its immediate transmission by the Governor.
February 3, adopted, House concurs. February 5, signed, approved.

Also—

- s. 404. To punish any person who discharges fire arms of

any description within 200 yards of any point on the bay shell road in Mobile county.

February 14, read first time. February 15, read second, referred to printing. Feb. 19, reported favorably, read third passed.

Also—

- s. 417. To provide the time of payment of any additional appropriation which has been, or may be made for the public schools at the present session of the General Assembly.

February 17, read first time. February 19, read second, referred to finance.

BROWN—

- s. 79. To provide for the better working of the public roads in Jackson county.

November 23, read first time. November 24, read second, referred to local legislation. November 28, reported favorably, read third. February 15, House amends, passes, Senate concurs. February 16, signed. February 17, approved.

BROWN—

- s. 80. To repeal an act to regulate the trial of misdemeanors in Madison county, approved February 9, 1877.

November 23, read first time. November 24, read second, referred to judiciary.

BROWN—

- s. 92. To provide for a county solicitor for Madison county.

November 24, read first time. November 25, read second, referred to judiciary.

BROWN—

- s. 113. To amend an act to regulate and fix the time of holding the courts in the several counties composing the 7th judicial circuit, approved March 1st, 1851.

November 27, read first time. November 28, read

second, referred to judiciary. January 24, returned, recommitted to revision of laws. February 5, reported favorably, read third, passed.

BROWN—

- s. 137. To prohibit the sale, giving away or otherwise disposing of any spirituous, vinous or malt liquors, or intoxicating beverages, or the manufacture thereof of any kind, in the county of Jackson. December 1, read first time. December 2, read second, referred to temperance. December 4, reported favorably, read third, amended by unanimous consent, passed, ordered to House.

BROWN—

- s. 140. To establish and incorporate the Scott academy at Scottsboro, in Jackson county, Alabama. December 1, read first time. December 2, read second, referred to education. January 26, reported favorably, read third, passed. February 15, House passes. February 16, signed. February 17, approved.

BROWN—

- s. 155. To repeal an act approved March 4th, 1876, and to make the law of the Code regulating the publication of legal notices apply to the county of Marshall. December 4, read first time. December 5, read second, referred to municipal and county organizations.

BROWN—

- s. 228. To prohibit the manufacture, sale, giving away or otherwise disposing of any spirituous, vinous or malt liquors or intoxicating bitters, or beverages of any kind, within the limits of the county of Jackson. January 25, read first time. January 26, read second, referred to temperance. January 27, reported favorably, read third, passed.

BROWN—

- s. 266. To amend an act to incorporate the town of Scottsboro, approved January 20th, 1870.
January 29, read first time. January 30, read second, referred to municipal and county organizations. February 14, reported favorably, read third, passed.

BROWN—

- s. 381. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating beverages within four miles of county schools, incorporated under the provisions of section 1994 of the Code.
February 9, read first time. February 10, read second, referred to temperance.

DAVIDSON—

- s. 157. To repeal all laws prohibiting the sale or giving away of spirituous, vinous or malt liquors, or intoxicating bitters, in Marion beat, Perry county, State of Alabama.
December 4, read first time. December 5, read second, referred to temperance. February 15, reported favorably, read third, passed. February 21, House passed, signed. February 23, approved.

DAVIDSON—

- s. 175. To repeal an act to authorize the commissioners courts, or court or board of county revenues, of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry, to establish or abolish districts in which stock may be prevented from running at large, so far as relates to Perry county.
December 5, read first time. December 7, read second, referred to industrial resources. December 11, reported substitute, adopted (caption amended), read third, passed. January 3, House amends, passed, Senate concurs. February 1, signed. February 2, approved.

DAVIDSON—

- s. 252. To incorporate the Uniontown & Newbern Railroad Company.
 January 26, read first time. January 27, read second, referred to judiciary. February 3, returned, recommitted to internal improvements. February 13, reported amendment, adopted, read third, passed.

FARNHAM—

- s. 19. To amend section 580 of the Code.
 November 16, read first time. November 17, read second, referred to judiciary. November 23, reported amendment, adopted, read third, made special order for Monday next. November 27, passed. December 11, House passed. December 12, signed, approved.

FARNHAM—

- s. 20. To amend section 1615 of the Code. November 16, read first time. November 17, read second, referred to judiciary. November 23, reported amendment, made special order for Monday next. November 27, amendment adopted, read third, passed.

FARNHAM—

- s. 21. To amend section 668 of the Code. November 16, read first time. November 17, read second, referred to judiciary. November 23, reported amendment, made special order for Monday next. November 27, amendment adopted, read third, passed.

FARNHAM—

- s. 30. To amend section 3218 of the Code.
 November 16, read first time. November 17, read second, referred to judiciary. November 21, reported favorably, read third, passed. December 5, House amends, Senate concurs. December 6, signed, approved.

FARNHAM—

- s. 71. To appropriate fifty per cent. of the State tax of Conecuh county, for the year 1882, to aid in the erection of a jail in said county. November 22, read first time. November 23, read second; referred to special committee. November 24, reported favorably, indefinitely postponed.

FARNHAM—

- s. 84. Regulating and fixing the fees of clerks of circuit and city courts of this State. November 23, read first time. November 24, read second, referred to judiciary.

FARNHAM—

- s. 96. For the better protection of farmers and other persons therein named in Conecuh county. November 24, read first time. November 25, read second, referred to local legislation. December 2, reported substitute, adopted, read third time, made special order for Tuesday next. December 5, passed.

FARNHAM—

- s. 114. To authorize the mortgaging of crops, planted or unplanted. November 27, read first time. November 28, read second and referred to judiciary. December 2, reported favorably, postponed, made special order for Tuesday next. December 5, reported favorably, amended, read third, passed.

FARNHAM—

- s. 134. To protect vendors of lands. November 29, read first time. December 1, read second, referred to judiciary.

FARNHAM—

- s. 190. To authorize the sale of lands belonging to the estates of deceased persons at private sale. December 7, read first time. December 8, read second, referred to judiciary.

FARNHAM—

- s. 213. To authorize the administrator of the estate of Y. S. Hirschfelder, late of Conecuh county, deceased, to sell the lands of said estate at private sale.

January 24, read first time. January 25, read second, referred to special committee. January 26, reported favorably, read third, passed.

FARNHAM—

- s. 214. To abolish the court of county commissioners of Conecuh county.

January 24, read first time. January 25, read second, referred to special committee. January 31, reported favorably, read third, passed.

FARNHAM—

- s. 215. To establish a board of revenue for Conecuh county.

January 24, read first time. January 25, read second, referred to special committee. January 31, reported favorably, read third, passed.

FARNHAM—

- s. 241. To assist the University of Alabama, providing additional room for students and facilities for instruction.

January 25, read first time. January 26, read second, referred to education. February 10, reported favorably, substitute offered, postponed, special order Monday after reading journal, and from day to day, and 150 copies of each ordered printed. February 12, recommitted to education and finance. February 14, reported amendment to substitute, amendment and substitute adopted, caption amended, read third, passed. February 17, House passed, signed. February 23, approved.

FARNHAM—

- s. 242. To amend section 4469 of the Code.

January 25, read first time. January 26, read second, referred to judiciary. February 1, reported amendment, adopted, read third, passed.

FARNHAM—

- s. 293. To declare Piney Woods creek, in Conecuh county, a public highway.
January 30, read first time. January 31, read second, referred to internal improvements.

FARNHAM—

- s. 295. To provide for the comfort and accommodation of passengers at each of the depots along the line of every railroad operated by any railroad company or person in the State.
January 30, read first time. January 31, read second, referred to judiciary. February 19, reported substitute, adopted, read third, passed, caption amended. February 21, passed House. February 23, signed, approved.

FARNHAM—

- s. 328. To authorize the commissioners court of Conecuh county to allow the probate judge of said county compensation for services therein specified.
February 2, read first time. February 3, read second, referred to finance. February 5, reported favorably, read third, passed. February 21, passed House. February 23, signed, approved.

FARNHAM—

- s. 347. To prohibit the manufacture or sale, or other disposition, of vinous, spirituous, malt or other intoxicating liquors, etc., within the limits of the State of Alabama.
February 6, read first time. February 7, read second, referred to temperance. February 19, reported favorably, indefinitely postponed.

FARNHAM—

- s. 371. To amend subdivision three (3) of section 3069 of the Code.
February 8, read first time. February 9, read second, referred to judiciary. February 17, reported amendment, adopted, read third, postponed, made special order for Monday after read-

ing of the journal. February 19, taken up, amended by unanimous consent, passed.

FARNHAM—

- s. 384. To exempt the stock of citizens of Barbour county from liability while depredating upon lands in Bullock county where the stock law exists. February 10, read first time. February 12, read second, referred to local legislation.

GARDNER—

- s. 40. To repeal article 3, of chapter 1, of title 2, of beat 3, of the Code. November 17, read first time. November 18, read second, referred to revision of laws.

GARDNER—

- s. 74. To amend section 4536 of the Code. November 22, read first time. November 23, read second, referred to penitentiary.

GARDNER—

- s. 290. To incorporate the Scottsville Manufacturing Company. November 23, read first time. November 24, read second, referred to internal improvements. January 26, reported amendments, adopted (caption amended), read third, passed. February 21, House passed, signed. February 23, approved.

GARDNER—

- s. 128. To prevent stock from districts in which stock is not allowed to run at large, from running at large outside of said district. November 29, read first time. December 1, read second, referred to internal improvements.

GARDNER—

- s. 129. To prevent sales and giving credit to students at colleges, schools and academies, without the consent of their parents or guardians. November 29, read first time. December 1, read second, referred to education.

GARDNER—

- s. 130. For the relief of Benjamin H. Craig, of Dallas county.
November 29, read first time. December 1, read second, referred to local legislation.

GARDNER—

- s. 156. To regulate the employment of State convicts.
December 4, read first time. December 5, read second, referred to special joint committee on the penitentiary. December 6, returned, withdrawn from Senate.

GARDNER—

- s. 173. To prohibit county convicts of the counties of Montgomery, Autauga, Lowndes, Dallas, Perry, Hale, Greene, Wilcox, Marengo and Sumter, from being hired and worked beyond the limits of said counties.
December 5, read first time. December 7, read second, amended, referred to penitentiary (caption amended).

GARDNER—

- s. 196. To appropriate the money collected from licenses by the State for the sale of liquors within the corporate limits of the cities of Montgomery and Selma to public school purposes in said cities.
December 7, read first time. December 8, read second, referred to education.

GARDNER—

- s. 207. Petition of certain citizens of Dallas county, with regard to liquor prohibition in Dallas county.
December 11, referred to temperance.

GARDNER—

- s. 291. To create a separate school district of certain fractional townships in Dallas county.
January 30, read first time. January 31, read second, referred to education. February 12, reported favorably, read third, passed. February 21, passed House, signed. February 23, approved.

GARDNER—

- s. 292. To provide for the proper delivery of freight by railroad companies, and persons operating railroads in this State.
January 30, read first time. January 31, read second, referred to judiciary.

GARDNER—

- s. 310. To settle the debt due attorneys on account of the suits against Elisha B. Lott, tax collector of Mobile county.
January 31, read first time. February 1, read second, referred to finance.

GRANT—

- s. 7. To fix the times of holding the circuit courts in Cleburne county.
November 15, read first time. November 16, read second, referred to special committee. November 18, reported favorably, read third, passed, ordered to House. November 25, passed House, signed. November 27, approved.

GRANT—

- s. 91. To regulate the trial of misdemeanors in Calhoun county.
November 23, read first time. November 24, read second, referred to judiciary. December 2, reported favorably, read third, passed.

GRANT—

- s. 93. To establish a Normal school for the education of white male and female teachers, at Jacksonville, in Calhoun county.
November 24, read first time. November 25, read second, referred to education. February 12, reported favorably, recommitted to finance and education with instructions. February 14, reported amendment, adopted, read third, lost, motion to reconsider made, agreed to. February 15, passed. February 21, House passed, signed. February 23, approved.

GRANT—

- s. 208. To amend an act to incorporate the town of Davisville, in Calhoun county, Alabama, approved December 8, 1880.

December 11, read first time. December 12, read second, referred to municipal and county organizations. January 27, reported favorably, read third, passed.

GRANT—

- s. 259. To authorize M. T. Moody, township superintendent of township thirteen (13), range (10), Calhoun county, or his successor in office, to sell certain school property in the town of Cross Plains, and re-invest the proceeds in other school property in said town.

January 27, read first time. January 29, read second, referred to education. February 13, reported favorably, read third, passed. February 23, House passed, signed, approved.

GRANT—

- s. 300. To constitute the town of Jacksonville, in Calhoun county, a separate school district.

January 30, read first time. January 31, read second, referred to education. February 12, reported favorably, read third, passed.

GRANT—

- s. 318. To protect the lands, crops and other property of J. W. Sparrow, of Barbour county, from depredations of stock belonging to parties residing in the stock law district in said county, by including the lands of said Sparrow in the stock law districts.

February 1, read first time. February 2, read second, referred to local legislation. February 9, reported favorably, read third, passed. February 23, House amends, Senate concurs, (caption amended), signed, approved.

GRIFFIN—

- s. 36. To amend section 24 of an act to organize and regulate a system of public instruction for the State of Alabama, approved February 7, 1879. November 17, read first time. November 18, read second, referred to education.

GRIFFIN—

- s. 47. To authorize the appointment of a commissioner of convicts of the State, and to regulate the hiring, clothing, feeding, treatment and medical attention to convicts hired out by the State and counties. November 18, read first time. November 20, read second, referred to penitentiary.

GRIFFIN—

- s. 66. To amend section 4355 of the Code. November 21, read first time. November 22, read second, referred to judiciary. February 19, reported favorably, read third, passed. February 23, House passed, signed, approved.

GRIFFIN—

- s. 85. To regulate the terms of the courts in the first judicial circuit of Alabama. November 23, read first time. November 24, read second, referred to judiciary. November 29, reported amendment, adopted, read third, passed. December 12, House passed. January 26, signed. January 30, approved.

GRIFFIN—

- s. 274. To amend section 5 of an act, to establish a new charter for the city of Demopolis, approved March 28, 1873. January 29, read first time. January 30, read second, referred to municipal and county organizations. February 14, reported favorably, read third, passed. February 21, passed House. February 23, signed, approved.

GRIFFIN—

- s. 285. To amend an act to amend section 2681 of the Code, approved March 1, 1881.
January 30, read first time. January 31, read second, referred to judiciary.

GRIFFIN—

- s. 286. To amend an act to amend section 4731 of the Code.
January 30, read first time. January 31, read second, referred to judiciary.

GRIFFIN—

287. To incorporate Dayton Academy.
January 30, read first time. January 31, read second, referred to education. February 12, reported favorably, read third, passed. February 23, House passed; signed, approved.

GRIFFIN—

- s. 321. To amend section 24 of an act, entitled an act to organize and regulate a system of public instruction for the State of Alabama, approved February 7, 1879.
February 2, read first time. February 3, read second, referred to education.

GRIFFIN—

- s. 322. To suspend the operation of section six (6) of article thirteen (13) of the constitution.
February 2, read first time. February 3, read second, referred to judiciary.

GRIFFIN—

- s. 340. To amend section 19 of an act entitled an act to establish a new charter for the city of Demopolis, approved March 28, 1873.
February 5, read first time. February 6, read second, referred to municipal and county organizations.

GRIFFIN—

- s. 411. To relieve M. Victorie Saunders, of Hale county, from the disabilities of non-age.
February 15, read first time. February 16, read second, referred to judiciary. February 17, reported favorably, read third, passed. February 23, House passed; signed, approved.

HARGROVE—

- s. 34. To amend section four of an act to incorporate the city of Tuscaloosa, approved March 12, 1873.
November 17, read first time. November 18, read second, referred to municipal and county organizations. November 23, reported favorably, read third, passed. November 27, passed House. November 28, signed, approved.

HARGROVE—

- s. 94. To amend section 1544 of the Code.
November 24, read first time. November 25, read second, referred to temperance.

HARGROVE—

- s. 95. To define the duties of judge of probate with reference to the issuing of license for the sale of intoxicating liquors.
November 24, read first time. November 25, read second, referred to judiciary. December 2, returned, recommitted to temperance.

HARGROVE—

- s. 123. To prevent cruelty to domestic animals.
November 29, read first time. December 1, read second, referred to internal improvements. January 26, reported substitute, adopted, read third, passed. February 23, House amends and passes, Senate concurs, (caption amended), signed, approved.

HARGROVE—

- s. 124. To amend an act to revive and complete the Geological and agricultural survey of Alabama.

November 29, read first time. * December 1, read second, referred to internal improvements. February 6, reported substitute, adopted, read third, passed, ordered to House. February 15, House amends, passes, Senate concurs. February 17, signed. Feb. 19, approved.

HARGROVE—

s. 243. To amend section 4990 of the Code.

January 25, read first time. January 26, read second, referred to judiciary. February 19, reported favorably, read third, passed.

HARGROVE—

s. 255. To secure impartial juries for the trial of capital cases.

January 27, read first time. January 29, read second, referred to judiciary. February 1, reported substitute, adopted, (caption amended), read third, passed.

HARGROVE—

s. 256. To secure impartial grand and petit juries for the circuit, criminal and city courts having criminal jurisdiction.

January 27, read first time. January 29, read second, referred to judiciary.

HARGROVE—

s. 260. To aid and encourage education in the branches of learning related to agriculture and the mechanic arts.

January 27, read first time. January 29, read second, referred to education.

HARGROVE—

s. 267. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, at or within half a mile of the Tuscaloosa depot of the Alabama Great Southern railroad, in Tuscaloosa county.

January 29, read first time. January 30, read

second, referred to temperance. February 19, reported favorably, read third, passed.

HARGROVE—

s. 294. To make the clerk of the circuit court of Bibb county *ex officio* clerk of the county court.

January 30, read first time. January 31, read second, referred to municipal and county organizations. February 14, reported favorably, read third, passed. February 21, signed. February 23, approved.

HARGROVE—

s. 377. To amend section 79 of an act to incorporate the city of Tuscaloosa, approved March 12, 1873.

February 9, read first time. February 10, read second, referred to judiciary. February 16, reported favorably, read third, passed. February 21, passed House. February 23, signed, approved.

HARGROVE—

s. 394. To provide for the disposition of the wife's dower in the real estate of the husband when she is insane.

February 12, read first time. February 13, read second, referred to judiciary. February 17, reported favorably, with amendment, adopted, read third and passed. February 21, signed. February 25, approved.

HARGROVE—

s. 413. To amend an act to amend section 4203 of the Code, approved March 1st, 1881.

February 15, read first time. February 16, read second, referred to judiciary. February 19, reported favorably, read third, passed.

HARRISON—

s. 77. To provide for the collection of State and county taxes in counties having no qualified tax collectors. November 22, read first time. November 23, read second, referred to special committee. December

4, reported substitute, postponed, made special order to-morrow 12 o'clock, 150 copies of substitute ordered printed. December 5, postponed made special order to-morrow after reading journal. December 6, substitute adopted, reconsidered, substitute amended, read third, passed, (caption amended), ordered to House. February 15, House amends by way of substitute, passes, Senate concurs. February 16, signed. February 19, approved.

HARRISON—

- s. 127. To amend an act to incorporate the Chewacla Lime company, approved December 9, 1862, and to change the name thereof from "Chewacla Lime company" to the "Chewacla Lime Works." November 29, read first time. December 1, read second, referred to judiciary. January 26, reported favorably, read third, passed. February 14, House passes. February 15, signed. February 16, approved.

HARRISON—

- s. 307. To provide for the payment of the compensation and expenses of the commissioner appointed pursuant to an act, "to provide for the adjustment, compromise and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee and Pickens, arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies approved December 7, 1882." January 31, read first time. February 1, read second, referred to judiciary. February 16, read third, unfinished business. February 17, taken up, recommitted to special committee with instructions, reported substitute, adopted, read third, passed. February 21, House amends by way of substitute, Senate non-concurs, House insists, committee of conference asked, acceded to. February 23, House concurs in report of conference committee, Senate non-concurs; House requests new conference committee, House and Senate

concur in report of conference committee, signed, approved.

HARRISON—

s. 308. To vacate and annul the charter and dissolve the corporation of the city of Opelika, and to provide for the application of the assets thereof in discharge of the debts of the corporation.

January 31, read first time. February 1, read second, referred to special committee. February 7, reported favorably, read third, passed, ordered to House. February 12, House amends and passes. February 12, Senate concurs. February 16, signed. February 19, approved.

HARRISON—

s. 309. To incorporate the district of Opelika and to provide for the government thereof.

January 31, read first time. February 1, read second, referred to special committee, read third, passed, ordered to House. February 12, House amends and passes, House amendment postponed, made special order for to-morrow. February 16, Senate concurs. February 19, signed, approved.

HARRISON—

s. 376. Joint resolutions requesting the President of the United States to call the attention of the French government to the claims of Pierre Dupont, lineal descendant of Marshall Francois Joseph Lefebvre, the Duke of Dantzic, and ask his restoration to the property rights of his ancestors.

February 9, adopted. February 13, House concurs. February 14, signed, approved.

HARRISON—

s. 410. To avoid an election for members of the courts of county commissioners of the several counties of this State during the year 1883, and to extend the term of office of the members of said courts of county commissioners.

February 15, read first time. February 16, read second, referred to judiciary. February 17, re-

ported favorably, read third, amended by unanimous consent, passed. February 21, House amends and passes, Senate non-concurs, House insists, asks committee of conference, Senate accedes, committee report, concurred in by House and Senate. February 23, signed, approved.

JACKSON—

- s. 15. To prescribe the manner in which claims against the fine and forfeiture fund of Lawrence county shall be paid.
November 16, read first time. November 17, read second, referred to judiciary, returned, recommitted to local legislation.

JACKSON—

- s. 57. To repeal section four of an act to amend section 4109 of the Code, and to provide for its enforcement, approved February 19, 1881, so far as the same relates to the counties of Lawrence and Colbert.
November 20, read first time. November 21, read second, referred to local legislation. November 24, reported favorably, postponed, made special order for Tuesday next. November 28, recommitment to local legislation. December 7, reported favorably, read third, amended by unanimous consent, motion to reconsider made, postponed till January 26. January 26, pending motion to reconsider lost, indefinitely postponed.

JACKSON—

- s. 135. To amend section 5047 of the Code.
November 29, read first time. December 1, read second, referred to revision of laws.

JACKSON—

- s. 159. To regulate the manner of working parties convicted of misdemeanors in this State.
December 5, read first time. December 7, read second, referred to penitentiary.

JACKSON—

- s. 160. To increase the fees of sheriffs in criminal cases.
December 5, read first time. December 7, read second, referred to judiciary.

JACKSON—

- s. 253. To authorize and empower the Governor to appoint inspectors of coal oil, gasoline, carbon oil, or any other product of petroleum used for illuminating fluids.
January 27, read first time. January 29, read second, referred to internal improvements. February 6, returned, recommitted to judiciary. February 15, reported substitute, amended, adopted (caption amended), read third, passed.

JACKSON—

- s. 301. For the relief of Miss Anna Pybas, of Colbert county.
January 31, read first time. February 1, read second, referred to local legislation. February 9, reported favorably, read third, passed.

JACKSON—

- s. 262. Memorial of the citizens of Lawrence county asking to have the election law of 1876 restored.
February 8, referred to privileges and elections.

JACKSON—

- s. 390. To authorize chancellors to amend errors and mistakes in final decrees.
February 12, read first time. February 13, read second, referred to judiciary. February 19, reported favorably, postponed till to-morrow.

JACKSON—

- s. 391. To confer jurisdiction on justices of the peace against married women owning separate statutory estates.
February 12, read first time. February 13, read second, referred to judiciary.

JONES—

- s. 22. To amend section 361 of the Code.
November 16, read first time. November 17, read second, referred to finance. November 29, returned, recommitted to joint committee on the revenue system.

JONES—

- s. 23. To amend section 411 of the Code.
November 16, read first time. November 17, read second, referred to finance. November 29, returned, recommitted to joint committee on revenue system.

JONES—

- s. 24. To amend section 1111 of the Code.
November 16, read first time. November 17, read second, referred to finance. November 29, returned and recommitted to joint committee on revenue system.

JONES—

- s. 37. Making defendants competent witnesses in all indictments, complaints and other criminal proceedings.
November 17, read first time. November 18, read second, referred to judiciary.

JONES—

- s. 48. To prohibit the sale, or disposing of spirituous, vinous, or malt liquors, or other intoxicating beverages, in the county of Wilcox, on and after the first day of April, 1883.
November 18, read first time. November 20, read second, referred to temperance. November 25, reported favorably, postponed, special order after journal, Monday. November 27, read third, passed. December 11, passed House. December 12, signed, approved.

JONES—

- s. 60. To amend section fifteen of an act to confer addi-

tional jurisdiction upon the county court of Wilcox county, and to regulate proceedings therein, approved February 23, 1881.

November 20, read first time. November 21, read second, referred to revision of laws. November 24, reported amendment, adopted, read third, passed.

JONES—

- s. 67. To amend section 7 of "an act for the better protection of the State in the payment of fees of sheriffs for feeding prisoners," approved February 22, 1881.

November 21, read first time. November 22, read second, referred to finance.

JONES—

- s. 68. To amend section 2 of "an act to regulate the compensation of sheriffs for the removal of prisoners," approved March 1, 1881.

November 21, read first time. November 22, read second, referred to finance. November 29, reported substitute, adopted, read third, passed. December 12, passed House, signed, approved.

JONES—

- s. 86. To punish the hirer of any convict who fails to discharge such convict at the expiration of his term of penal servitude.

November 23, read first time. November 24, read second, referred to penitentiary.

JONES—

- s. 106. To relieve defendants, who have been admitted to bail, charged with any criminal offense, from being in the custody of the sheriff, until on the trial of such defendant the jury retires to make up their verdict.

November 25, read first time. November 27, read second, referred to judiciary. January 31, reported substitute, adopted, (caption amended), read third, passed.

JONES—

- s. 126. To compensate sheriffs for feeding prisoners confined in jail for a contempt of court.
November 29, read first time. December 1, read second, referred to penitentiary. December 5, reported favorably, read third, passed.

JONES—

- s. 147. To amend section 4410 of the Code.
December 2, read first time. December 4, read second, referred to judiciary. January 24, reported favorably, read third, passed.

JONES—

- s. 153. To admit defendants to bail on all convictions of criminal offenses, which are bailable, when the defendant takes an appeal, or writ of error, to the supreme court.
December 4, read first time. December 5, read second, referred to judiciary.

JONES—

- s. 191. To amend section 4203 of the Code.
December 7, read first time. December 8, read second, referred to revision of laws.

JONES—

- s. 231. To amend section 792 of the Code.
January 25, read first time. January 26, read second, referred to judiciary.

JONES—

- s. 232. To repeal section three and amend an act approved December 8, 1880, to prohibit stock from running at large in certain portions of Wilcox and Marengo counties.
January 25, read first time. January 26, read second, referred to judiciary. February 1, reported amendment, adopted, read third, passed. February 13, House passed. February 14, signed, approved.

JONES—

- s. 257. To prevent the separation of jurors, in felony cases, or in civil cases, where the amount in controversy exceeds five hundred dollars.
January 27, read first time. January 29, read second, referred to judiciary.

JONES—

- s. 315. To amend section 3 of an act to alter and amend the charter of the town of Camden in Wilcox county, Alabama, approved February 8, 1858.
February 1, read first time. February 2, read second, referred to judiciary. February 17, reported favorably, read third, passed. February 21, passed House. February 23, signed, approved.

JONES—

- s. 342. To change the times of holding the chancery courts in the counties of Wilcox and Randolph.
February 5, read first time. February 6, read second, referred to judiciary. February 17, reported favorably, read third, passed.

JONES—

- s. 367. To amend sections 1, 2 and 3 of an act to authorize the commissioners court, or court or board of county revenues of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Monroe, Russell, Lawrence and Perry, to establish or abolish districts in which stock may be prevented from running at large, approved February 28, 1881.
February 8, read first time. February 9, read second, referred to judiciary. February 19, reported amendment, adopted, read third, passed.

JONES—

- s. 378. To re-arrange the times of holding the courts of the eastern chancery division of the State.
February 9, read first time. February 10, read second, referred to judiciary. February 14, re-

ported favorably, read third, passed. February 21, House passed, signed. February 23, approved.

JONES—

- s. 379. To provide a fund for the benefit of the supreme court library, without making appropriations from the State treasury therefor.
February 9, read first time. February 10, read second, referred to judiciary.

LUCKIE—

- s. 46. To amend section 4450 of the Code.
November 18, read first time. November 20, read second, referred to judiciary.

LUCKIE—

- s. 141. To amend section 1811 of the Code.
December 1, read first time. December 2, read second, referred to revision of laws. December 12, reported favorably, read third and passed. February 21, House amends, passes, Senate concurs. February 23, signed, approved.

LUCKIE—

- s. 142. To repeal section 2 of an act to amend section 4109 of the Code, and to provide for its enforcement, approved February 19, 1881.
December 1, read first time. December 2, read second, referred to revision of laws.

LUCKIE—

- s. 209. To raise a fund for the benefit of the fire companies in the city of Birmingham.
January 24, read first time. January 25, read second, referred to municipal and county organizations. February 13, reported amendments, adopted, read third, passed. February 23, House amends, passes, Senate concurs, signed, approved.

LUCKIE—

- s. 210. To authorize any person or corporation operating

water works for supplying water to any city or incorporated town, to condemn and acquire land and water necessary for that purpose, and to protect their property from depredation.

January 24, read first time. January 25, read second, referred to judiciary. February 17, reported favorably, read third, passed.

LUCKIE—

- s. 372. To repeal an act to change the boundary line of Blount, Walker and Jefferson, and to locate the county seat of Blount county, approved February 8, 1877, and an act amendatory thereof, to change the boundary lines between the counties of Blount, Walker and Jefferson, and to locate the county seat of Blount county, approved January 27, 1879, so far as the same relates to Walker county, and to restore Walker county to her original boundary line prior to the act of 1877. February 8, read first time. February 9, read second, referred to municipal and county organizations.

McCLELLAN—

- s. 1. To repeal an act to prohibit the manufacture or sale, or other disposition, of vinous, spirituous or malt, or other intoxicating liquors, within the limits of the counties of Limestone and Clarke, in this State, approved February 24, 1881, so far as the same relates to Limestone county. November 15, read first time. November 16, read second, referred to temperance. November 25, reported favorably, read third, passed. December 11, passed House. December 12, signed, approved.

McCLELLAN—

- s. 14. To amend section 3280 of the Code. November 16, read first time. November 17, read second, referred to judiciary.

McClellan—

- s. 56. To amend section 4 of an act to better regulate the administration of express trusts created to secure or provide for the payment of debts, approved February 26, 1881.
November 20, read first time. November 21, read second, referred to judiciary.

McClellan—

- s. 112. To amend section 29 (34) of the Code.
November 27, read first time. November 28, read second, referred to special committee.

McClellan—

- s. 158. To amend section 1111 of the Code.
December 5, read first time. December 7, read second, referred to education.

McClellan—

- s. 176. To amend section 3259 of the Code.
December 6, read first time. December 7, read second, referred to judiciary.

McClellan—

- s. 186. To permanently locate the seat of justice in Morgan county.
December 7, read first time. December 8, read second, referred to municipal and county organizations. February 3, reported amendment, adopted, read third, passed. February 21, House passed. February 23, signed, approved.

McClellan—

- s. 188. To amend section 2468 of the Code.
December 7, read first time. December 8, read second, referred to judiciary. February 3, reported substitute, adopted, caption amended, read third, passed.

McClellan—

- s. 262. To amend section 2826 of the Code.
January 29, read first time. January 30, read second, referred to judiciary.

McCLELLAN—

- s. 263. To amend section 2827 of the Code.
January 29, read first time. January 30, read second, referred to judiciary.

McCLELLAN—

- s. 264. To provide for the administration of exempted property of the estates of decedents, against which the rights of exemption have been waived, in case of insolvency.
January 29, read first time. January 30, read second, referred to judiciary.

McCLELLAN—

- s. 297. To further regulate the trial of misdemeanors in Madison county.
January 30, read first time. January 31, read second, referred to judiciary. February 14, reported favorably, read third, passed. February 21, signed. February 23, approved.

McCLELLAN—

- s. 336. To fix and regulate the payment of witnesses on behalf of the State.
February 3, read first time. February 5, read second, referred to judiciary.

McCLELLAN—

- s. 357. To alter and amend the charter of the city of Huntsville, as established by an act approved March 3, 1870, entitled an act to establish a new charter for the city of Huntsville, and an act approved February 13, 1871, entitled an act to amend an act to establish a new charter for the city of Huntsville.
February 7, read first time. February 8, read second, referred to local legislation.

McCLELLAN—

- s. 388. To make an appropriation to pay the expenses of the joint committee to investigate the accounts,

conduct, bond, etc., of I. H. Vincent, late Treasurer of Alabama.

February 10, read first time. February 12, read second, referred to finance. February 13, reported favorably, amended, read third, passed. February 21, House passed. February 23, signed, approved.

McCLELLAN—

- s. 398. To revive and continue in force the Chickasaw, Birmingham and Tuscaloosa Railroad and Mining and Manufacturing Company.
February 12, read first time. February 13, read second, referred to internal improvements.

McCLELLAN—

- s. 403. To amend section 4774 of the Code.
February 14, read first time. February 15, read second, referred to judiciary.

MITCHELL—

- s. 12. To prohibit the sale, bartering or giving away of spirituous, vinous or malt liquors in the town of Glennville, in Russell county, Alabama, or within five miles in any direction of the Methodist Episcopal Church South, in said town.
November 15, read first time. November 16, read second, referred to temperance. November 22, reported favorably, read third, passed. December 11, House passed. December 12, signed, approved.

MITCHELL—

- s. 27. To amend section 1679 of the Code.
November 16, read first time. November 17, read second, referred to revision of laws. November 22, reported amendment, adopted, read third, passed. February 21, House passed, signed. February 23, approved.

MITCHELL—

- s. 39. To better secure the rights of parties in attachment cases.

November 17, read first time. November 18, read second, referred to judiciary.

MITCHELL—

- s. 51. To better provide for the examination of county offices, county jail, records of the courts of county commissioners, and county chain-gangs of Russell county in this State, and report thereon.
November 18, read first. November 20, read second, referred to municipal and county organizations. November 25, reported favorably, read third, passed. January 30, House passed. January 31, signed. February 1, approved.

MITCHELL—

- s. 136. Joint resolution relating to the proceeds of public lands lying within the State of Alabama, located with military land warrants.
November 29, read first time and referred to Federal relations. December 11, reported favorably, adopted, ordered to House, House concurred. December 12, signed, approved.

MITCHELL—

- s. 199. To limit the compensation of judges of the county court of Russell county.
December 9, read first time. December 11, read second, referred to revision of laws. February 7, reported favorably, read third, passed.

MITCHELL—

- s. 298. To amend section 3 and 4 of an act to authorize the commissioners court, or courts or boards of county revenues of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry, to establish or abolish districts in which stock may be prevented from running at large, approved February 28, 1881, so far as the same relates to Russell county.
January 30, read first time. January 31 read second, referred to local legislation. February 9,

reported favorably, read third, passed. February 14, House passed. February 15, signed. February 16, approved.

MITCHELL—

- s. 369. To authorize the court of county commissioners of revenue of the several counties of this State to appoint a special county surveyor.
February 8, read first time. February 9, read second, referred to municipal and county organizations. February 14, reported favorably, read third, passed.

MITCHELL—

- s. 373. To protect the estates and interests of minors in certain contingencies.
February 8, read first time. February 9, read second, referred to judiciary.

MOORMAN—

- s. 65. To amend sub-division 8, of section 494, of the Code.
November 21, read first time. November 22, read second, referred to finance. November 29, returned, recommitted to joint committee on revenue system.

MOORMAN—

- s. 229. To incorporate the Alabama and Mississippi Coal Company.
January 25, read first time. January 26, read second, referred to internal improvements. February 1, reported favorably, read third, passed. February 10, House amends, passes. February 12, Senate concurs, signed, approved.

MOORMAN—

- s. 304. To authorize the court of county commissioners of Marion county to levy and collect a special tax, not exceeding three-fourths of one per centum on the taxable property of said county for the purpose of paying for the erection of the court-house and jail of said county.

January 31, read first time. February 1, read second, referred to finance. February 17, reported favorably, read third, passed. February 21, House passed. February 23, signed, approved.

MOORMAN—

s. 364. For the relief of county superintendents of education.

February 8, read first time. February 9, read second, referred to education.

MOORMAN—

s. 375. To authorize Lucinda Jones, as administratrix of the estate of E. P. Jones, deceased, to sell the law library of said estate at public or private sale without an order of court.

February 9, read first time. February 10, read second, referred to local legislation.

McSPADDEN—

s. 32. To amend the charter of the East & West Railroad Company of Alabama, and to enable said company to engage in mining operations.

November 17, read first time. November 18, read second, referred to internal improvements. November 25, reported favorably, read third, special order Monday next. November 27, passed. December 12, House passed, signed, approved.

McSPADDEN—

s. 33. To prevent speculations in futures.

November 17, read first time. November 18, read second, referred to judiciary. November 21, returned, recommitted to revision of laws. February 1, reported substitute, postponed, made special order Friday next and from day to day, 150 copies of substitute ordered printed. February 20, postponed, made special order Monday after reading journal. February 12, substitute for substitute offered, postponed till to-morrow at 10 o'clock and from day to day, 150 copies of

substitute for substitute ordered printed. February 19, pending substitute for substitute lost, substitute for substitute offered, adopted, read third, passed.

McSPADDEN—

- s. 59. To establish a new charter for the city of Gadsden. November 20, read first time. November 21, read second, referred to municipal and county organizations. December 4, reported amendment, adopted, adopted, read third, passed. December 12, passed House. January 26, signed. January 27, approved.

McSPADDEN—

- s. 81. To authorize executors and administrators to employ counsel in certain cases. November 23, read first time. November 24, read second, referred to revision of laws. February 7, reported amendment, adopted, read third, passed.

McSPADDEN—

- s. 101. To amend section 3058 of the Code. November 25, read first time. November 27, read second, referred to revision of laws. December 1, reported favorably, read third, passed.

McSPADDEN—

- s. 151. To regulate the costs in ejectment suits. December 4, read first time. December 5, read second, referred to judiciary.

McSPADDEN—

- s. 152. To expedite the trial of civil and criminal cases in circuit courts of this State. December 4, read first time. December 5, read second, referred to judiciary.

McSPADDEN—

- s. 283. To prevent drunkenness by persons holding office

under the laws of Alabama for any county thereof.

January 30, read first time. January 31, read second, referred to to judiciary. February 19, reported favorably, read third, passed.

McSPADDEN—

- s. 303. To prevent the pasturing of stock where there is no cross or division fence, and for other purposes. January 31, read first time. February 1, read second, referred to internal improvements. February 13, reported substitute, adopted, read third, passed (caption amended).

McSPADDEN—

- s. 346. To prevent officers of the State or county from dealing in futures. February 6, read first time. February 7, read second, referred to judiciary.

McSPADDEN—

- s. 351. To provide for a better system of examination of the several offices of the executive department of the State and of the warden of the penitentiary, and for the appointment of a committee from the two houses of the General Assembly to make such examinations. February 6, read first time. February 7, read second, referred to revision of laws.

McSPADDEN—

- s. 355. To amend section 3930 of the Code. February 7, read first time. February 8, read second, referred to revision of laws.

McSPADDEN—

- s. 356. To regulate the time of holding the circuit courts in Cherokee and Etowah counties, in the seventh judicial circuit. February 7, read first time. February 8, read second, referred to revision of laws. February 17, reported favorably, read third, passed. February 23, House passed, signed, approved.

McSPADDEN—

- s. 386. To correct errors in the entry of lands granted by the Congress of the United States to the State of Alabama for valueless sixteenth sections, approved August 11, 1848.
February 10, read first time. February 11, read second, referred to revision of laws.

McSPADDEN—

- s. 392. To incorporate the Rome & Decatur Railroad Company, and to authorize the same to engage in mining and manufacturing.
February 12, read first time. February 13, read second, referred to special committee (McSpadden chairman). February 17, reported favorably, read third, passed.

McSPADDEN—

- s. 416. To fix the rate of taxation in the State of Alabama.
February 16, read first time. February 17, read second, referred to finance.

McSPADDEN—

- s. 393. Memorial from citizens of Etowah county praying that the question of prohibition be submitted to a vote of the people of the county.
February 12, referred to temperance.

NORMAN—

- s. 9. To repeal an act to prevent the destruction of fish in the rivers and creeks in Bullock county, Alabama, approved December 3, 1880.
November 15, read first time. November 16, read second, made special order after call of Districts, to-morrow. November 17, referred to local legislation. November 22, reported favorably, read third, passed. December 1, House passed. December 2, signed, approved.

NORMAN—

- s. 10. To repeal an act to prevent the selling of vinous, spirituous or malt liquors, beverages, or bitters,

composed in whole or in part of such spirituous, or malt liquors, in the county of Bullock, except by regularly licensed druggists, upon the prescription of licensed physicians, and to provide a local option law for the sale of such liquors, beverages or bitters, in incorporated towns or cities in said county having a population of two hundred and fifty, or more, approved February 28, 1881. November 15, read first time. November 17, read second, referred to temperance. February 17, reported without recommendation, read third, passed.

NORMAN—

- s. 38. To amend an act for the protection of certain portions of the lands and plantations lying in Bullock county, from depredations by stock, approved December 8, 1880, and amended February 24, 1881.

November 17, read first time. November 18, read second, referred to local legislation. November 22 reported favorably, read third, passed. November 23, votes on passage and ordering to third reading reconsidered, recommitted local legislation. November 24, reported favorably with amendments, adopted, read third, passed. November 25, motion to reconsider, postponed, made special order for Saturday next. December 2, motion to reconsider withdrawn. December 12, House passed, signed, approved.

NORMAN—

- s. 64. To amend section 2944 of the Code.

November 20, read first time. November 21, read second, referred to judiciary. November 29, reported favorably with substitute, adopted, read third, passed. January 24, House amends and passes. Senate concurs, (caption amended). January 26, signed. January 30, approved.

NORMAN—

- s. 107. To allow defendants in actions of ejectments and in actions brought in the nature of actions of

ejectment, where the plaintiff relies upon a mortgage as his title, to set up certain defenses. November 25, read first time. November 27, read second, referred to judiciary.

NORMAN—

- s. 108. To provide for the removal of estates of deceased persons, by the heirs, distributees, devisees, legatees, or legal representatives of such estates, from the probate courts into the chancery courts. November 25, read first time. November 27, read second, referred to judiciary. February 10, returned, tabled—150 copies ordered printed.

NORMAN—

- s. 122. To amend section 494 of the Code. November 28, read first time. November 29th, read second, referred to special committee. December 4, reported favorably, read third, passed.

NORMAN—

- s. 204. To change the time of holding the circuit courts of Lee and Bullock counties. December 4, read first time. December 12, read second, referred to judiciary. January 26, reported substitute, adopted, read third, passed—(caption amended). February 8, passed House. February 9, signed. February 12, approved.

NORMAN—

- s. 205. Petitions for the repeal of the prohibition law as to Suspension and Greenwood beats, in Bullock county. December 11, referred to temperance.

NORMAN—

- s. 233. To repeal an act to change the boundary line between the counties of Bullock and Montgomery, approved February 5, 1877. January 25, read first time. January 26, read second, referred to municipal and county organizations.

NORMAN—

- s. 246. To prevent stock from running at large in China Grove beat, in Pike county.
January 26, read first time. January 27, read second, referred to local legislation. February 7, reported favorably, read third, passed. February 23, House amends and passes. Senate concurs; signed, approved.

NORMAN—

- s. 247. Temperance petitions from Bullock county.
January 26, read first time, referred to temperance.

NORMAN—

- s. 275. To permit stock to run at large in certain portions of Perote beat, in Bullock county, Alabama.
January 29, read first time. January 30, read second, referred to local legislation.

NORMAN—

- s. 276. Petition of citizens of China Grove beat, in Pike county, against the passage of the stock law for said beat.
January 29, referred to local legislation.

ODEN—

- s. 17. To amend section 3012 and section 3013 of the Code.
November 16, read first time. November 17, read second, referred to judiciary.

ODEN—

- s. 18. To repeal section 3656 of the Code.
November 16, read first time. November 17, read second, referred to judiciary. November 21, reported favorably, read third, passed.

ODEN—

- s. 82. To prescribe the time when objection must be taken to indictments.

November 23, read first time. November 24, read second, referred to judiciary.

ODEN—

s. 83. To declare the operation of section 4889 of the Code.

November 23, read first time. November 24, read second, referred to revision of laws.

ODEN—

s. 102. To amend section 3467 of the Code.

November 25, read first time. November 27, read second, referred to judiciary.

ODEN—

s. 103. To incorporate the Rockford High School.

November 25, read first time. November 27, read second, referred to education. January 26, reported favorably, read third, passed. February 9, House passed, signed, approved.

ODEN—

s. 104. To regulate the practice in examination of witnesses on character.

November 25, read first time. November 27, read second, referred to judiciary.

ODEN—

s. 105. To repeal section 4990 of the Code.

November 25, read first time. November 27, read second, referred to judiciary.

ODEN—

s. 143. To change the county line between the counties of Chilton and Elmore.

December 1, read first time. December 2, read second, referred to municipal and county organizations. December 5, reported favorably, read third, passed.

ODEN—

- s. 211. Authorizing the mayor and aldermen of the city of Wetumpka, to donate a certain street for county purposes.

January 24, read first time. January 25, read second, referred to special committee. January 26, reported favorably, read third, passed. February 7, House passed. February 8, signed, approved.

ODEN—

- s. 212. To amend section 2088 of the Code.

January 24, read first time. January 25, read second, referred to judiciary. February 3, reported amendments, made special order for Monday 12 o'clock. February 6, indefinitely postponed. February 7, motion to reconsider, postponed till to-morrow, one o'clock. February 19, refused to reconsider.

ODEN—

- s. 339. To amend section 4773 (4100) of the Code.

February 5, read first time. February 6, read second, referred to judiciary.

ODEN—

- F s. 305. To amend section 5035 of the Code.

January 31, read first time. February 1, read second, referred to judiciary.

ODEN—

- s. 312. To amend section 1544 of the Code.

January 31, read first time. February 1, read second, referred to temperance. February 19, reported favorably, read third, passed.

ODEN—

- s. 314. To amend an act to amend section one of an act to define the corporate limits of the city of Wetumpka.

February 1, read first time. February 2, read second, referred to municipal and county organi-

zations. February 14, reported favorably, read third, passed. February 21, House passed. February 22, signed, approved.

ORR—

- s. 58. To prohibit the selling, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages within five miles of the town of Bremen, in Cullman county, Alabama (with petition.) November 20, read first time. November 21, read second, referred to temperance. November 25, reported favorably, read third, passed. December 11, House passed. December 12, signed, approved.

ORR—

- s. 111. Joint resolution on memorial to Congress asking passage of bill (s. 1667) granting certain franchises to St. Louis, Montgomery and Florida Railroad and Immigration Company. November 25, referred to federal relations. December 1, reported favorably, adopted. January 31, House amends, referred to federal relations. February 3, reported favorably as to House amendment. Senate concurs. February 5, signed, approved.

ORR—

- s. 198. Petition to prohibit the sale of intoxicating liquors in the State of Alabama, from citizens of Butler county. December 7, referred to temperance.

ORR—

- s. 282. To incorporate the Morgan County Co-operative Association, Patrons of Husbandry, No. 367. January 30, read first time. January 31, read second, referred to internal improvements. February 13, reported favorably, read third, passed.

ORR—

- s. 329. To better protect the citizens of Morgan county against mad or rabid dogs.
February 3, read first time. February 5, read second, referred to internal improvements. February 13, reported amendments, adopted, read third, passed.

ORR—

- s 354. To regulate the issuing of license to sell vinous, spirituous or malt liquors, in Morgan county.
February 7, read first time. February 8, read second, referred to temperance. February 17, reported favorably, read third, passed. February 23, House passed, signed, approved.

PATE—

- s 16. To authorize the filing and recording of certain deeds of conveyance therein named in the office of the probate courts of this State.
November 16, read first time. November 17, read second, referred to judiciary.

PATE—

- s. 162. For the relief of Mahaley O'Neal, of Randolph county.
December 5, read first time. December 7, read second, referred to local legislation. December 8, reported favorably, read third, passed, ordered to House. February 21, House passed. February 23, signed, vetoed, Senate sustains veto.

PATE—

- s. 244. To provide for the voluntary payment of taxes in Lee and Chambers counties.
January 26, read first time. January 27, read second, referred to special committee. January 30, reported favorably, read third, passed. February 21, House amends and passes, Senate concurs—(caption amended). February 23, signed, approved.

PATE—

- s. 49. To amend section 29 of the Code.

January 26, read first time. January 27, read second, referred to revision of laws. February 5, reported favorably, read third, passed.

PATE—

- s. 415. To make the funds arising from the hire of convicts in Chambers county, part of the fine and forfeiture fund.

February 16, read first time. February 17, read second, referred to local legislation. February 19, reported favorably, read third, passed.

RUSHING—

- s. 97. To repeal an act regulating the publication of legal notices in the counties of Shelby, Cleburne, Baker, Marshall, DeKalb, Walker, Winston, Coosa, Franklin, St. Clair, Marion, Jefferson, Bibb, Lawrence, Dale, Geneva, Covington and Coffee, so far as the same relates to the counties of Coffee and Geneva.

November 24, read first time. November 25, read second, referred to revision of laws. December 4, reported substitute, adopted; (caption amended), read third, passed. February 16, House amended, passed, Senate non-concurred.

RUSHING—

- s. 110. To provide for the examination of the county offices, county jails, records of the court of county commissioners and the county chain gangs and report thereon.

November 25, read first time. November 27, read second, referred to municipal and county organizations. December 4, reported favorably, read third, passed.

RUSHING—

- s. 288. To authorize and empower Mrs. E. C. Davis, (widow of J. J. Davis, deceased), to sell lands belonging to said estate at private sale.

January 30, read first time. January 31, read second, referred to local legislation. February 9, reported favorably, made special order for to-morrow. February 15, taken up, read third, passed.

RUSHING—

- s. 412. To authorize Susan A. Beall, widow of Samuel P. Beall, deceased, of Coffee county, to sell and convey by deed all of the real estate belonging to the estate of the said deceased, and report the sale thereof to the circuit court, or register in chancery, and to be affirmed by him before the sales shall be lawful.

February 15, read first time. February 16, read second, referred to judiciary. February 16, referred to printing, February 17, reported favorably, read third, passed.

SEAY—

- s. 43. To relieve married women of the disabilities of coverture.

November 17, read first time, November 18, read second, referred to judiciary. February 3, reported substitute; made special order for Monday next, 12 o'clock, and from day to day until disposed of; 150 copies ordered printed. February 6, postponed, made special order for to-morrow at 12 o'clock. February 7, postponed, made special order after reading journal to-morrow. February 8, substitute amended, adopted, (caption amended), read third, passed.

SEAY—

- s. 62. To amend section 2591 of the Code.

November 20, read first time. November 21, read second, referred to judiciary. November 24, reported amendment; adopted, read third, passed. January 24, House passed. January 26, signed. January 30, approved.

SEAY—

- s. 75. To enable mortgagees and beneficiaries to protect their interests by purchasing at sales under powers in mortgages and deeds of trust, and to extend to such purchasers and the grantors in such instruments, the provisions of chapter 4, title 7, part 2 of the Code, relating to the redemption of real estate sold under execution, decree, mortgage or deed of trust.
November 22, read first time. November 23, read second, referred to judiciary.

SEAY—

- s. 76. To expedite the trial of civil causes in which the presiding judge is legally incompetent to hear and determine the same.
November 22, read first time. November 23, read second, referred to judiciary. November 27, reported favorably, read third, passed.

SEAY—

- s. 132. To better secure payments of fees and costs in criminal cases in the courts of this State.
November 29, read first time. December 1, read second, referred to judiciary. February 17, reported favorably, read third, passed. February 23, House passed, signed, approved.

SEAY—

- s. 181. To organize a commission to consider and report to the supreme court a code of pleading and procedure for the courts of common law jurisdiction.
December 6, read first time. December 7, read second, referred to judiciary.

SEAY—

- s. 182. To amend section 2811 of the Code.
December 6, read first time. December 7, read second, referred to judiciary. January 26, reported favorably, read third, passed.

SEAY—

- s. 183. To secure the equitable distribution of the hard labor and fine and forfeiture funds of Hale county, Alabama.
 December 6, read first time. December 7, read second, referred to penitentiary. February 17, reported amendment, adopted, read third, passed.

SEAY—

- s. 197. A protest by certain citizens of Hale county, Alabama, against the further extension of the Agricultural canebrake district.
 December 7, read first time, referred to local legislation.

SEAY—

- s. 202. A protest of influential citizens of Hale county against the extension of the canebrake agricultural district in Hale county.
 December 11, referred to local legislation.

SEAY—

- s. 203. To amend the charter of the town of Greensboro, and to confer additional powers and duties on the mayor and council of Greensboro.
 December 11, read first time. December 12, read second, referred to municipal and county organizations. February 14th, reported favorably, read third, passed.

SEAY—

- s. 248. To prevent the sale or gift of toy pistols in this State.
 January 26, read first time. January 27, read second, referred to judiciary.

SEAY—

- s. 258. To amend section 5059 of the Code.
 January 27, read first time. January 29, read second, referred to judiciary.

SEAY—

- s. 323. To amend section 2619 of the Code.
February 2, read first time. February 3, read second, referred to judiciary.

SEAY—

- s. 324. To enable justices of the peace and notaries public in Hale county to impose hard labor in payment of costs.
February 2, read first time. February 3, read second, referred to local legislation. February 10, reported favorably, amended, read third, lost, reconsidered, made special order for to-day 12 o'clock.

SEAY—

- s. 333. To amend section 7 of an act to confer additional jurisdiction upon the county court of Hale county, and to regulate the proceedings therein.
February 3, read first time. February 5, read second, referred to local legislation. February 9, reported substitute, adopted (caption amended), read third, passed. February 23, House passes, signed, approved.

SEAY—

- s. 337. To incorporate the Chicago, Selma and Mobile Railroad.
February 3, read first time. February 5, read second, referred to internal improvements. February 13, reported favorably with amendments, adopted, read third, passed.

SEAY—

- s. 352. To amend section one of an act entitled an act for the preservation of game animals and birds in the counties of Mobile, Monroe, Montgomery, Marengo, Baldwin, Dallas, Lowndes, Hale, Clarke, Greene, Wilcox, Pike, Talladega, Pickens, Bibb, Autauga, Chilton, Clay and Jefferson, so far as the same applies to Hale county.
February 6, read first time. February 7, read

second, referred to local legislation. February 10, reported favorably, amended, postponed, made special order for Tuesday 11 o'clock, and from day to day till disposed of. February 19, reported substitute, adopted, read third, passed (caption amended).

SEAY—

- s. 370. To provide the mode and manner of paying the coupons representing the interest on the public debt as they fall due, and for the filing and the preservation of the same in the office of the Treasurer of the State.
February 8, read first time. February 9, read second, referred to finance, 150 copies ordered printed.

SEAY—

- s. 387. To provide for summary judgment against judges of probate and tax collectors.
February 10, read first time. February 12, read second, referred to judiciary.

SEAY—

- s. 401. To amend an act to prevent in certain cases the sale, exchange or transportation of cotton in the counties of Montgomery, Bullock, Dallas, Russell, Lowndes, Wilcox, Sumter, Autauga, and in beats Nos. 1, 2, 3, 4, 5, 6, 7, 8 and 9 of Hale, and of cotton produced in said counties, so far as the same applies to Talladega county.
February 13, read first time. February 14, read second, referred to local legislation. February 20, reported amendment, adopted, read third, passed (caption amended).

SHELBY—

- s. 2. To repeal an act to amend section 274 of the Code.
November 15, read first time. November 16, read second, referred to privileges and elections. February 15, report adversely, concurred in.

SHELBY—

- s. 3. To repeal an act to amend section 276 of the Code, November 15, read first time. November 16, read second, referred to privileges and elections. February 15, reported adversely, concurred in.

SHELBY—

- s. 4. To enable electors to identify their ballots. November 15, read first time. November 16, read second, referred to privileges and elections. February 15, reported adversely, concurred in.

SHELBY—

- s. 5. To repeal an act to further regulate the trial of misdemeanors in Madison county. November 15, read first time. November 16, read second, referred to revision of laws. December 7, returned and referred to judiciary.

SHELBY—

- s. 6. To repeal an act to regulate the trial of misdemeanors in Madison county. November 15, read first time. November 16, read second, referred to revision of laws. December 7, returned and referred to judiciary.

SHELBY—

- s. 31. To amend section 286 of the Code. November 17, read first time. November 18, read second, referred to privileges and elections.

SHELBY—

- s. 45. To repeal an act to amend section 286 of the Code. November 18, read first time. November 20, read second, referred to privileges and elections.

SHELBY—

- s. 78. To incorporate "S. R. and R. M. Lowery Industrial Academy" at Huntsville, Alabama. November 23, read first time. November 24, read second, referred to education. January 26, returned, recommitted to internal improvements.

SHELBY—

- s. 145. To regulate the fees of witnesses for the State in criminal cases.
 December 2, read first time. December 4, read second, referred to revision of laws. February 17, reported favorably, amended, read third, passed. February 21, passed House with amendment, Senate concurs. February 23, signed, approved.

SHELBY—

- s. 150. To repeal article 2, of chapter 6, part 1, title 2, of the Code of Alabama of 1876, and to abolish the Normal school for colored teachers at Huntsville.
 December 4, read first time. December 5, read second, referred to education.

SHELBY—

- s. 161. To repeal article 1, of chapter 6, part 1, title 2 of the Code, and to abolish the Normal school and the University for colored teachers and students at Marion.
 December 5, read first time. December 7, read second, referred to education.

SHELBY—

- s. 177. To repeal article 3, of chapter 6, part 1, title 2 of the Code, and to abolish the Normal school for white male and female teachers at Florence.
 December 6, read first time. December 7, read second, referred to education.

SHELBY—

- s. 189. To make it unlawful for the county superintendent of education, examining boards or other persons, to charge a teacher for examinations as to qualifications to teach.
 December 7, read first time. December 8, read second, referred to education.

SHELBY—

- s. 201. Petition of citizens of Madison county to repeal

the act to regulate the trial of misdemeanors in said county.

December 11, referred to judiciary.

SHELBY—

- s. 226. For the preservation of game animals and birds in the county of Madison.

January 25, read first time. January 26, read second, referred to local legislation.

SHELBY—

- s. 227. To prohibit fishing in the waters of Madison county, of the State of Alabama, with nets or seines.

January 25, read first time. January 26, read second, referred to local legislation. February 9, reported amendments, adopted, read third, passed.

SHELBY—

- s. 254. Memorial of citizens of Marshall county for the repeal of the present election law.

January 27, referred to privileges and elections.

SHELBY—

- s. 265. Petition of citizens of Madison county for the repeal of the present election law.

January 29, referred to privileges and elections.

SHELBY—

- s. 302. Petition of citizens of Franklin county to change the present election law.

January 31, referred to privileges and elections.

SHELBY—

- s. 330. To fix and regulate the payment of witnesses on behalf of the State of Alabama.

February 3, read first time. February 5, read second, referred to judiciary.

SHELBY—

- s. 331. Memorial of the citizens of Walker county that the election law of 1876 be restored.

February 3, referred to privileges and elections.

SHELBY—

- s. 338. Memorial of citizens of Lawrence county asking to have the election law of 1876 restored.
February 5, referred to privileges and elections.

SHELBY—

- s. 344. Memorial of citizens of the county of Winston asking to have the election law of 1876 restored.
February 6, referred to privileges and elections.

SHELBY—

- s. 345. Memorial of the citizens of Madison county to have the election law of 1876 restored.
February 6, referred to privileges and elections.

SHELBY—

- s. 374. Memorial of the citizens of the town of Patterson, Alabama, asking to have the election law of 1876 restored.
February 9, referred to privileges and elections.

SHELBY—

- s. 383. To enable trustees and assignees to maintain and defend suits in certain cases.
February 10, read first time. February 11, read second, referred to judiciary.

SHELBY—

- s. 399. Memorial of the citizens of Lawrence county asking to have the election law of 1876 restored.
February 13, referred to privileges and elections.

SHELBY—

- s. 406. Memorial of the board of mayor and aldermen of Huntsville against the bill to re-district that city.
February 15, referred to local legislation.

SHELBY—

- s. 407. Memorial of the citizens of Huntsville against the passage of a bill re-dividing that town into new wards.
February 15, referred to local legislation.

SHELBY—

- s. 408. Memorial of the citizens of Huntsville against the passage of a bill creating new offices in that town. February 15, referred to local legislation.

SHELBY—

- s. 409. Memorial of the citizens of Huntsville against the bill now pending in the Senate, to divide that town into new wards. February 15, referred to local legislation.

SMITH—

- s. 41. To prevent drunkenness in public places. November 17, read first time. November 18, read second, referred to judiciary. November 23, reported favorably, with amendments, adopted, amended, ordered third, recommitted to judiciary. January 24, reported substitute, adopted, read third, votes on third reading and adopting substitute reconsidered and tabled. January 25, vote tabling reconsidered, made special order for Saturday next.

SMITH—

- s. 42. To prevent persons from playing at crack-a-loo in public places. November 17, read first time. November 18, read second, referred to judiciary.

SMITH—

- s. 52. To regulate the manner of the payment of the general and the fine and forfeiture funds of the counties of this State. November 18, read first time. November 20, read second, referred to judiciary.

SMITH—

- s. 61. To amend an act to require emigration agents plying their vocation in Barbour county, and other counties therein named, to pay a license tax, approved January 30, 1877. November 20, read first time. November 21, read

second, referred to internal improvements. January 26, reported favorably, read third, passed.

SMITH—

- s. 69. To regulate the trial of misdemeanors in Sumter county.
November 21, read first time. November 22, read second, referred to judiciary. November 25, reported favorably, with amendment, adopted, read third, passed. December 6, House amends and passes. December 7, Senate concurs. December 8, signed, approved.

SMITH—

- s. 88. To amend section 4358 of the Code.
November 23, read first time. November 24, read second, referred to judiciary.

SMITH—

- s. 89. To amend section 4361 of the Code.
November 23, read first time. November 24, read second, referred to judiciary.

SMITH—

- s. 223. To establish a State normal school for the education of white female teachers and students at Livingston, in Sumter county.
January 24, read first time. January 25, read second, referred to education. February 12, reported favorably, read third, recommitted to finance and education, with instructions. February 14, reported amendment, unfinished business. February 15, amendment adopted, read third, passed. February 21, House passed, signed. February 23, approved.

SMITH—

- s. 234. To require persons, whose claims against Sumter county have been allowed by the commissioners court thereof against the general fund of said county, to draw their warrants for the amount within six months.
January 25, read first time. January 26, read

second, referred to municipal and county organizations. February 14, reported favorably, read third, passed. February 17, House passes. February 19, signed, approved.

SMITH—

- s. 235. To further regulate the payment of the general fund script of Sumter county.
January 25, read first time. January 26, read second, referred to finance. February 3, reported favorably, read third, passed.

SMITH—

- s. 236. To further regulate the payment of the fine and forfeiture fund script of Sumter county.
January 25, read first time. January 26, read second, referred to finance. February 3, reported favorably, amended; (caption amended), read third, passed. February 21, House passed, signed. February 23, approved.

SMITH—

- s. 316. To exempt social and literary clubs, where liquors are sold only to members and invited guests, from the payment of municipal license.
February 1, read first time. February 2, read second, referred to judiciary.

SMITH—

- s. 341. To relinquish the claim of the State of Alabama to certain lands therein mentioned.
February 5, read first time. February 6, read second, referred to judiciary. February 17, reported favorably, read third, passed.

SMITH—

- s. 350. To amend section 3656 of the Code.
February 6, read first time. February 7, read second, referred to judiciary. February 19, reported favorably, read third, passed.

STREET—

- s. 133. To incorporate the Gesner Mining and Smelting Company.

November 29, read first time. December 1, read second, referred to industrial resources. December 5, reported favorably, amended, read third, passed. December 12, passed House. January 26, signed. January 30, approved.

STREET—

- s. 178. To require railroad companies and persons operating railroads in this State, to give proper receipts to shippers and consignees of freight.

December 6, read first time. December 7, read second, referred to judiciary. January 26, 150 copies ordered printed. February 19, reported substitute, adopted, read third, passed.

STREET—

- s. 296. To provide for the adjustment of short freights and damaged goods before any collection is made of freight charges on such freights and damaged goods, by any railroad company or person operating a railroad in this State.

January 30, read first time. January 31, read second, referred to judiciary. February 19, reported adversely, non-concurred in, and recommended to special committee.

STREET—

- s. 360. To regulate the time of holding the circuit courts of Talladega and Clay counties in the judicial circuit.

February 7, read first time. February 8, read second, referred to revision of laws. February 15, reported favorably, read third, passed. February 21, passed House. February 23d, signed, approved.

STREET—

- s. 389. To amend section 17 of an act to provide for the regulation of railroad companies and persons

operating railroads in this State, approved February 26, 1881.

February 10, read first time. February 12, read second, referred to judiciary.

THOMAS—

- s. 54. To amend sections 5027 of the Code.
November 18, read first time. November 20, read second, referred to finance. November 29, reported substitute, adopted, caption amended, read third, passed. February 21, House passes, signed. February 23, approved.

THOMAS—

- s. 118. To provide for the payment of costs of justices of the peace, notaries public, constables and witnesses in cases wherein the State fails to convict, in the county of Barbour, in courts of justice of the peace and notaries public.
November 28, read first time. November 29, read second, referred to judiciary. February 15, reported favorably, read third, passed.

THOMAS—

- s. 121. To provide for the payment of the costs in State cases, of the clerk and sheriff of Barbour county, where the State fails to convict.
November 28, read first time. November 29, read second, referred to judiciary. February 15, reported favorably, read third, passed.

THOMAS—

- s. 154. To establish the Southeast Alabama Normal school at Clayton, Barbour county, Alabama.
December 4, read first time. December 5, read second, referred to education.

THOMAS—

- s. 192. To amend section one of an act approved February 24, 1881, to make it a misdemeanor for the persons having the control of certain live stock to allow the same to run at large off their own premises,

and to fix the punishment and provide for the trial where such persons live in that portion of Barbour county in limits defined in this act. December 7, read first time. December 8, read second, referred to local legislation.

THOMAS—

- s. 200. To amend section 7 of an act approved February 13, 1879, so as to include Barbour county. December 9, read first time. December 11, read second, referred to revision of laws. February 7, reported substitute; amended; adopted (caption amended); read third, passed. February 21, House amends, passes (caption amended). February 23, signed, approved.

THOMAS—

- s. 289. To prohibit the sale of vinous, spirituous, or malt liquors within three miles of Mount Pleasant church, in Barbour county, Alabama. January 20, read first time. January 31, read second time, referred to temperance. February 19, reported favorably, read third, passed.

THOMAS—

- s. 299. To provide compensation to circuit judges and chancellors for extra services performed by them. January 30, read first time. January 31, read second, referred to judiciary. February 17, reported adversely, concurred in.

THOMAS—

- s. 313. To define the term of the office of State and county treasurer. January 31, read first time. February 1, read second, referred to judiciary.

THOMAS—

- s. 348. To establish a fence on the western side of Pea river, in Bullock county. February 6, read first time. February 7, read second, referred to local legislation.

THOMAS—

- s. 382. To include the land of John R. Hays, a citizen of Barbour county, in the district in which stock is prohibit from running at large, so far as depredation on said land by stock belonging to parties living in said district is concerned.
February 9, read first time. February 10, read second, referred to local legislation.

THOMAS—

- s. 397. To amend section five, seven, thirteen, seventeen, thirty-one, thirty-seven, thirty-eight and forty of an act to establish a new city charter for Eufaula, approved February 28, 1870.
February 12, read first time. February 13, read second, referred to municipal and county organizations. February 19, reported favorably, read third, passed. February 23, House passes, signed, approved.

THOMAS—

- s. 414. To increase the pay of the sheriff of Barbour county for extra services performed by him.
February 15, read first time. February 16, read second, referred to local legislation. February 19, reported favorably, read third, passed.

TITCOMB—

- s. 13. To provide for the introduction of the study of the laws of health in the public schools of this State.
November 15, read first time. November 16, read second, referred to education. November 22, reported favorably with amendment; postponed, made special order for to-morrow at 11 o'clock. November 23, amendment adopted; read third, passed. December 12, passed House; signed, approved.

TITCOMB—

- s. 138. To define some of the duties of the State board of health.
December 1, read first time. December 2, read

second, referred to special committee. January 25, reported favorably, read third, passed. February 5, House amends and passes; bill and House amendment referred to special committee. February 6, House requests return; committee returns to Senate, Senate returns to House.

TITCOMB—

- s. 139. To regulate the practice of quarantine in Alabama. December 1, read first time. December 2, referred to special committee.

TITCOMB—

- s. 224. To increase the appropriations for the public schools from one hundred and thirty thousand dollars, as provided in the general appropriation bill, approved December 12, 1882, to two hundred and thirty thousand dollars. January 24, read first time. January 25, read second, referred to education. February 12, reported favorably, recommitted to finance and education, with instructions.

TITCOMB—

- s. 230. For the relief of John Rupert, circuit clerk in the county of Escambia. January 25, read first time. January 26, read second, referred to local legislation. February 9, reported favorably, read third, passed. February 21, House passes, signed. February 23, approved.

TITCOMB—

- s. 335. To remove the chancery court from the town of Claiborne, in Monroe county, to the town of Monroeville, in said county. February 3, read first time. February 5, read second, referred to local legislation. February 9, reported favorably, read third, passed.

TITCOMB—

- s. 366. To prohibit the sale, giving away or otherwise dis-

posing of intoxicating beverages within five miles of Hurricane bayou, in the county of Baldwin. February 8, read first time. February 9, read second, referred to temperance. February 19, reported favorably, read third, passed.

TITCOMB—

- s. 405. To authorize the court of county commissioners of Escambia county to issue bonds of said county for an amount not exceeding ten thousand dollars, for the purpose of building a court house in said county.

February 14, read first time. February 15, read second, referred to privileges and elections.

TROY—

- s. 11. To amend section 435 of the Code. November 15, read first time. November 16, read second, referred to finance. November 24, reported favorably, indefinitely postponed, reconsidered, made special order for Tuesday next. November 28, amended, read third, passed. January 29, House amends, passes, Senate concurs. January 30, signed. February 1, approved.

TROY—

- s. 25. To regulate proceedings on appeals by defendants to the supreme court in criminal cases. November 16, read first time. November 17, read second, referred to judiciary. November 21, report adversely, report tabled, 150 copies of bill ordered printed and bill made special order for Friday of next week. December 2, postponed, made special order for Wednesday next. December 6, postponed, made special order for January 25. January 25, recommitted to judiciary.

TROY—

- s. 26. To amend sections 1803 and 1804 of the Code. November 16, read first time. November 17, read second, referred to judiciary. November 21, reported favorably, read third, passed. Decem-

ber 5, House passed. December 6, signed, approved.

TROY—

- s. 49. To amend section 1843 of the Code—(place of meetings of directors and stockholders of railroad companies).

November 18, read first time. November 20, read second, referred to judiciary. November 27, reported substitute, adopted, read third, passed. December 12, passed House, signed, approved.

TROY—

- s. 73. To aid the counties of Lee, Chambers, Tallapoosa, Randolph and Pickens to compromise the indebtedness of said counties on account of bonds for subscriptions to the capital stock of railroad companies.

November 22, read first time. November 23, read second, referred to special committee.

TROY—

- s. 115. To authorize application to be made to the Congress of the United States, to appropriate the sum of \$10,388,072.10, the amount of tax on raw cotton, collected in this State, as a public school fund for this State, and to provide for the investment of said fund.

November 27, read first time. November 28, read second, referred to federal relations. December 1, reported favorably, postponed, made special order for Tuesday next, 11 o'clock, 150 copies ordered printed. December 5, read third, passed. December 6, House requested to return, returned, vote on passage reconsidered. December 9, postponed, made special order for January 25. January 25, lost.

TROY—

- s. 116. To fix the term of office of railroad commissioners.

November 27, read first time. November 28, read second, referred to judiciary. December 2, re-

ported favorably, postponed, made special order for Wednesday next. December 6, postponed, made special order for January 25, (amendment pending). January 25, indefinitely postponed.

TROY—

- s. 144. To regulate the duties of the warden and other officers of the penitentiary, in respect to convicts sentenced to hard labor in the penitentiary. December 1, read first time. December 2, read second, referred to penitentiary. December 5, reported substitute, postponed, made special order for to-morrow, 150 copies of substitute ordered printed. December 6, postponed, made special order, after journal, to-morrow. December 7, substitute amended, postponed, made special order to-morrow, after journal. December 8, substitute amended; afternoon session, substitute amended and adopted, caption amended, read third, passed, ordered to House forthwith without engrossing. February 7, House amends by way of substitute, and passes. Senate makes special order for Friday, 12 m., 150 copies of substitute ordered printed. February 10, postponed, made special order for Monday, after journal. February 13, taken up, unfinished business. February 16, taken up, House substitute amended and concurred in, House concurred in part, non-concurred in part, Senate asks committee of conference. House accedes. February 21, House and Senate concur in report of conference committee, signed. February 23, approved.

TROY—

- s. 149. To amend section 2097 of the Code.
December 2, read first time. December 4, read second, referred to judiciary. January 24, reported substitute, adopted, read third, passed. February 23, House passed; signed, approved.

TROY—

- s. 163. To amend section 2234 (1626) of the Code.

December 5, read first time. December 7, read second, referred to judiciary. January 31, reported substitute, adopted, read third, passed.

TROY—

- s. 164. To authorize the Railroad Commission of Alabama to co-operate with the railroad commissioners of other States, having railroad commissions, in recommending joint rates to said companies on lines extending out of the State of Alabama and into other States, so as to avoid the effect of unjust discrimination by combined local rates, or otherwise.

December 5, read first time. December 7, read second, referred to judiciary. February 3, reported favorably, read third, passed.

TROY—

- s. 165. To empower the railroad commission of Alabama to recommend joint local rates on freight to railroad companies and persons operating railroads in this State. December 5, read first time. December 7, read second, referred to judiciary. February 3, reported favorably, read third, passed. February 21, passed House. February 23, signed, approved.

TROY—

- s. 166. To amend section 28 of an act entitled an act to provide for the regulation of railroad companies and persons operating railroads in this State, approved February 26, 1881.

December 5, read first time. December 7, read second, referred to judiciary. February 2, reported favorably, read third, passed.

TROY—

- s. 167. To protect passengers from drunk and disorderly persons while traveling on railroad cars.

December 5, read first time. December 7, read second, referred to judiciary. February 19, reported substitute, adopted, read third, passed.

TROY—

- s. 168. To prevent railroad corporations or persons operating railroads in this State from transporting gunpowder, dynamite, nitro-glycerine or like explosive articles in any baggage, mail, express or passenger car in this State.

December 5, read first time. December 7, read second, referred to judiciary. February 3, reported substitute, adopted, read third, passed.

TROY—

- s. 169. To punish any person who shall be maliciously concerned in causing an accident to any railroad engine or car by which the death of a human being is produced.

December 5, read first time. December 7, read second, referred to judiciary. January 26, 150 copies ordered printed. February 2, reported amendment, adopted, read third, passed.

TROY—

- s. 170. To punish any servant of any corporation or person owning or operating any railroad in this State who shall, in consequence of his intoxications or any gross or wilful misconduct or negligence, cause any loss of human life or the breaking of a limb in the operation of any railroad in this State.

December 5, read first time. December 7, read second, referred to judiciary. January 26, 150 copies ordered printed. February 2, reported favorably, read third, passed.

TROY—

- s. 171. To authorize the conductor of a train to put off a passenger and his baggage, when such passenger refuses to pay his fare.

December 5, read first time. December 7, read second, referred to judiciary. January 26, 150 copies ordered printed. February 19, reported amendment, adopted, read third, passed.

TROY—

- s. 172. To protect railroads of this State from trespassers. December 5, read first time. December 7, read second, referred to judiciary. January 26, 150 copies ordered printed. February 19, reported amendment, adopted, read third, lost.

TROY—

- s. 193. To prevent monopolies in the transportation of freight, and to secure free and fair competition in the same. December 7, read first time. December 8, read second, referred to judiciary. February 3, reported substitute, adopted, read third, passed. February 21, passed House. February 23, signed, approved.

TROY—

- s. 194. To amend sections 2887 and 2888 of the Code. December 7, read first time. December 8, read second, referred to revision of laws.

TROY—

- s. 195. To provide for the exchange of certain bonds and coupons attached issued by the State of Alabama for new bonds. December 7, read first time. December 8, read second, referred to finance.

TROY—

- s. 216. To amend section 4228 of the Code relating to the use of fire-arms while fighting in a public place. January 24, read first time. January 25, read second, referred to judiciary. February 3, reported favorably, read third, passed.

TROY—

- s. 217. To fine and punish the offense of attempting to kill. January 24, read first time. January 25, read second, referred to judiciary. February 3, reported favorably, read third, passed.

TROY—

- s. 218. To provide for the punishment of attempts to commit a felony or misdemeanor, which may be punished by imprisonment.
January 24, read first time. January 25, read second, referred to judiciary.

TROY—

- s. 219. To amend section 4373 of the Code.
January 24, read first time. January 25, read second, referred to judiciary. February 19, reported favorably, read third, passed.

TROY—

- s. 220. To amend section 3916 of the Code.
January 24, read first time. January 25, read second, referred to judiciary. February 3, returned, tabled, 150 copies ordered printed.

TROY—

- s. 221. To provide for the appointment of an official stenographer for the city court of Montgomery and other courts held in said county, and to define his duties and regulate his compensation.
January 24, read first time. January 25, read second, referred to judiciary. February 17, reported favorably, read third, passed. February 21, House amends and passes, Senate concurs (caption amended), February 23, signed, approved.

TROY—

- s. 222. To provide a county solicitor for Montgomery county.
January 24, read first time. January 25, read second, referred to judiciary.

TROY—

- s. 239. In aid of the exercise of the power of disposal conferred on the Legislature of Alabama by the act of Congress of June 3, 1856, entitled an act granting public lands, in alternate sections, to the

State of Alabama to aid in the construction of certain railroads in said State.

January 25, read first time. January 26, read second, referred to judiciary.

TROY—

s. 240. To secure more effectually competent and well qualified jurors in the county of Lee.

January 25, read first time. January 26, read second, referred to judiciary.

TROY—

s. 251. To amend section 2126 of the Code.

January 26, read first time. January 27, read second, referred to judiciary. February 1, reported favorably, postponed, made special order for to-morrow at 11 o'clock. February 2, read third, passed. February 23, House passed; signed, approved.

TROY—

s. 277. To provide for a donation of books to the American public library at Stuttgart, Germany.

January 29, read first time. January 30, read second, referred to Federal relations. February 5, reported favorably, read third, passed.

TROY—

s. 278. To provide for the payment of costs in cases, when persons convicted are sentenced to the penitentiary.

January 29, read first time. January 30, read second, referred to judiciary.

TROY—

s. 279. To amend section 739 of the Code, as amended by an act, approved December 7, 1878, so as to authorize the Governor to appoint county commissioners.

January 29, read first time. January 30, read second, referred to judiciary.

TROY—

- s. 280. To require the clerk of the board of revenue of Montgomery county to give bond.
January 29, read first time. January 30, read second, referred to judiciary. February 19, reported favorably, read third, passed.

TROY—

- s. 327. To authorize the Alabama State Bar Association to institute and prosecute proceedings to disbar practicing attorneys.
February 2, read first time. February 3, read second, referred to judiciary. February 17, reported favorably, postponed, made special order for Monday after reading journal. February 19, taken up, amended, read third, passed.

TROY—

- s. 343. To authorize a subscription by the State to the third volume of Brickell's Digest of Alabama Reports.
February 5, read first time. February 6, read second, referred to judiciary. February 19, reported favorably, read third, passed. February 23, House passed, signed, approved.

TROY—

- s. 349. To authorize the judges of the circuit, city and supreme court, and chancellors, to suggest amendments and additions to the statute laws of this State.
February 6, read first time. February 7, read second, referred to judiciary. February 19, reported favorably, read third, passed.

TROY—

- s. 358. To confer additional powers on the corporate authorities of the city of Montgomery.
February 7, read first time. February 8, read second, referred to judiciary. February 17, reported favorably, read third, passed. February 23, House amends and passes, Senate non-concurs,

asks committee of conference ; House accedes ; House and Senate concur in report of conference committee ; signed, approved.

TROY—

- s. 359. To amend section 1812 of the Code.
February 7, read first time. February 8, read second, referred to judiciary. February 17, reported favorably, read third, passed.

TROY—

- s. 368. To amend section nine (9) of an act entitled an act to provide for the regulation of railroad companies and persons operating railroads in this State, approved February 26, 1881.
February 8, read first time. February 9, read second, referred to judiciary. February 19, reported favorably, read third, passed. February 23, House passed, signed, approved.

TROY—

- s. 395. To prevent the use of buildings for keeping gaming tables.
February 12, read first time. February 13, read second, referred to judiciary. February 19, reported substitute, adopted, read third, passed.

TROY—

- s. 396. To amend section 2131 of the Code, declaring gaming contracts void.
February 12, read first time. February 13, read second, referred to judiciary. February 19, reported favorably, read third, passed.

WARE—

- s. 146. To establish a Normal school at Bladon Springs, in Choctaw county.
December 2, read first time. December 4, read second, referred to education. February 12, reported favorably and recommitted to finance and education with instructions. February 15, reported amendments, adopted ; recommitted to education.

REGISTER OF SENATE RESOLUTIONS.

BILLUPS—

Proposing special committee of five, to which shall be referred that portion of the Governor's message relating to the debt stricken counties of Randolph, Chambers, Lee, Tallapoosa and Pickens, and all bills, resolutions, &c., on that subject.
November 19, adopted.

BILLUPS—

Thanking the proprietors of the Mobile Daily Register for copies of that paper furnished the Senate.
December 6, adopted.

BILLUPS—

To authorize the temperance committee to employ a clerk for the day.
February 21, adopted.

BREWER—

Joint resolution to discharge joint committee on the revenue system.
November 27, tabled.

BREWER—

Joint resolution proposing joint committee to examine into the alleged defalcation in the State treasury.
January 31, tabled.

BREWER—

Joint resolution for payment of expenses of joint committee to investigate the defalcation of State Treasurer.
February 10, referred to finance.

BREWER—

Joint resolution to print 1,000 copies of the report of joint committee to investigate the defalcation in the treasury department.

February 10, adopted. February 12, House adopted.

BREWER—

Providing that in afternoon sessions only Senate bills shall be considered, till all the committees have been called.

February 13, lost.

BROOKS, OF MACON—

Joint resolution inviting Dr. J. L. M. Curry to address the General Assembly on the subject of education.

November 29, adopted, House concurs.

BROOKS, OF MACON—

Directing the secretary to have printed for the use of the Senate 2,000 copies of the inaugural address of the Governor.

December 2, adopted.

BROOKS, OF MACON—

Joint resolution extending the time for the passage of bills from 7 p. m. to 8 p. m.

February 23, adopted, House concurs.

BROOKS, OF MOBILE—

To print 500 copies of the list of standing committees for the use of the Senate.

November 18, adopted.

BROOKS, OF MOBILE—

Joint resolution to observe Thanksgiving Day.

November 24, adopted, House amends and concurs.
Senate concurs.

BROOKS, OF MOBILE—

Instructing judiciary committee to determine the legislation necessary, if any, respecting vacancies in office, &c.

February 2, adopted.

BROOKS, OF MOBILE—

That hereafter the Senate meet at 9:30 a. m. and adjourn at 2:30 p. m.

February 7, amended, adopted.

BROOKS, OF MOBILE—

Authorizing Secretary of Senate to employ additional clerical assistance, when necessary.

December 5, adopted.

BROOKS, OF MOBILE—

That hereafter, until recess, the Senate meet at 10 a. m., adjourn at 2 p. m., and re-assemble at 4 p. m.

December 6, adopted.

FARNHAM—

That hereafter the afternoon sessions shall adjourn promptly at 6 o'clock, p. m.

December 9, adopted.

GARDNER—

Resolution requesting the Governor to furnish the Senate information with regard to the bonds of State officers.

February 15, referred to special committee. February

17, reported without recommendation, postponed till Tuesday 11 o'clock. February 19, substitute

adopted, resolution adopted, House concurs.

HARGROVE—

Requesting the Secretary of State to furnish Senators with the Code, Acts of the General Assembly and the Journals of the two Houses.

November 15, adopted.

HARGROVE—

Joint resolution, directing the printing of 1,500 copies of the report of the State Geologist, &c.

February 2, adopted, House concurs.

HARGROVE—

That the Senate meet Friday at 9 o'clock a. m.

February 21, adopted.

JONES—

Joint resolution, requesting Dr. J. L. M. Curry to furnish the General Assembly with his address for publication, and providing for printing 2,000 copies thereof. December 2, adopted, December 4, House concurred.

LUCKIE—

Informing House of organization of Senate and election of permanent officers.
November 15, adopted.

LUCKIE—

Joint resolution authorizing the joint committee appointed to examine offices of Auditor and Treasurer, to employ a clerk.
November 24, adopted, House concurs. February 2, report received, tabled, and 500 copies ordered printed.

McCLELLAN—

Referring to judiciary committee the subject of the salaries of the supreme and circuit court judges and chancellors.
November 18, adopted.

McCLELLAN—

That the Senate adjourn this p. m. at 6:30 o'clock, and re-assemble at 7 p. m., to consider revenue bill, S. S.
February 21, adopted.

MITCHELL—

Instructing Door-keeper to place an extra set of doors at entrance of Senate chamber.
November 16, adopted.

MITCHELL—

Relative to order of precedence among committees in certain cases.
February 2, referred to judiciary.

ORR—

Inviting ministers to open sessions of Senate with prayer.
January 25, adopted.

ORR—

To limit speeches of Senators to fifteen minutes, unless they have leave to proceed.

January 30, referred to committee on rules.

SEAY—

Thanking Hon. John D. Rather, as President of the Senate, for the able and impartial manner of discharging the duties of that office.

November 15, adopted.

SEAY—

Raising joint committee to which shall be referred the convict system, the subject of penal servitude, and all bills in reference thereto.

November 18, amended, adopted. November 19, withdrawn from Senate.

SEAY—

Raising joint committee to consider crop lien law, Senate substitute.

January 26, adopted. January 27, House amends and adopts, Senate concurs.

SEAY—

Substitute for Mr. Mitchell's resolution providing against raising of special committees, with leave, &c.

February 2, referred to judiciary. February 7, reported amendment, adopted, resolution concurred in.

SEAY—

Referring to judiciary committee the ascertainment of what legislation is necessary to carry into effect section 23, article 14, of the Constitution.

February 2, adopted.

SHELBY—

Raising joint committee to prepare a bill providing for an expert examination of the offices of county superintendents of education.

February 12, made special order for to-morrow at 12 o'clock.

SHELBY—

(Substitute for Mr. Brewer's resolution) providing that during remainder of session no special or local bills shall be reported or considered till those of a public or general nature have been disposed of.
February 13, tabled.

SMITH—

To assemble at 9:30 a. m., adjourn 2:30 p. m., re-assemble at 4 p. m., and adjourn at 6 p. m.
February 10, amended, adopted.

SMITH—

That hereafter the Senate shall meet in the afternoon at 4 p. m., and adjourn at pleasure.
February 13, adopted.

TROY—

Appointing joint committee on rules.
November 18, adopted. November 22, committee report.

TROY—

Appointing joint committee to consider the legislation necessary to protect interests of persons near line of districts where stock is prohibited from running at large.
November 25, adopted. November 28, House concurs.
December 2, committee ask further time to report.

TROY—

Suspending rule prohibiting smoking in the lobby in the afternoon.
December 9, adopted.

TROY—

Amendment to rules and requiring messages from Governor demanding executive session to be considered forthwith.
December 11, referred to judiciary.

TROY—

That until close of session on Monday next, only Senate bills shall be reported.
February 17, adopted.

REGISTER OF HOUSE BILLS, MEMORIALS, AND
JOINT RESOLUTIONS,

ACTED ON BY THE SENATE, SESSION 1882-83.

- H. B. 1. To prevent the sale or exchange of cotton in the seed in Barbour county, and sale or exchange of said cotton produced in said county. November 29, read first time. December 1, read second time, referred to judiciary. January 31, reported favorably, amended, read third time and passed. February 1, House concurs. February 2, signed.
- H. B. 2. To pay the costs in the impeachment trial of Wiley E. Jones, probate judge of Barbour county. November 24, read first time. November 25, read second time, referred to judiciary. December 11, reported amendment, postponed, made special order for January 27. January 27, postponed, made special order for Monday next. January 30, taken up, pending consideration interrupted by unfinished business. January 31, read third time and passed. February 2, signed.
- H. B. 3. To confer upon notaries public and *ex officio* justices of the peace, similar powers to those possessed by justices of the peace to issue attachments returnable to the circuit court. November 22, read first time. November 23, read second time and referred to judiciary. December 11, reported amendment, adopted, read third time and passed. December 12, House concurs in Senate amendment (caption amended), signed.

- H. B. 5. To increase the fees of constables in Barbour, Jefferson, Calhoun, Wilcox, Talladega, Greene, Dallas, Dale, Butler, Autauga, Hale, Jackson, Pike, Limestone, Sumter, Shelby, Perry, Cullman, Geneva, Franklin, Colbert, Russell, Lowndes, St. Clair, Chambers, Marshall, Blount, Madison, Coffee, Bullock and Henry.

November 24, read first time. November 25, read second time, referred to revision of laws. December 11, reported amendment, adopted, read third time and passed (caption amended), House concurs in Senate amendment. December 12, signed.

- H. B. 7. To authorize the probate judge of Chambers county to order an election in said county to prevent the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, or intoxicating bitters, within the limits of said county.

November 29, read first time. December 1, read second time and referred to temperance. December 2, reported favorably, read third time and passed. December 5, signed.

- H. B. 10. For the relief of Delia Edwards, of Choctaw county, as the adopted heir of Adam Burgess, deceased. February 12, read first time. February 13, read second time and referred to revision of laws. February 23, reported favorably, read third time and passed, signed.

- H. B. 11. To repeal an act of the General Assembly of Alabama, approved December the 8th, 1889, to prohibit the sale, giving, distilling or otherwise disposing of intoxicating beverages in Crenshaw county.

February 7, read first time. February 8, read second time and referred to temperance. February 17, reported favorably, read third time and passed. February 19, signed.

- H. B. 13. To repeal an act entitled an act to amend the road law of Dale county, approved February 9, 1852,

and to provide for the payment of the judge of probate and other officers for road service in said county of Dale.

November 22, read first time. November 23, read second time and referred to local legislation. November 25, reported favorably, read third time and passed. December 3, signed.

- H. B. 16. To incorporate the Dallas Compress company.
November 28, read first time. November 29, read second time and referred to local legislation. December 2, reported favorably and read third time, passed. December 5, signed.
- H. B. 18. To amend an act to incorporate the Florence Synodical Female College.
November 23, read first time. November 24, read second and referred to education. November 27, reported favorably, read third, passed. November 29, signed.
- H. B. 21. To amend section 3025 of the Code.
November 22, read first time. November 23, read second and referred to judiciary.
- H. B. 22. To authorize the rendition of decrees of strict foreclosure in mortgage suits in equity.
November 25, read first time. November 27, read second, referred to judiciary. February 1, reported favorably, unfinished business. February 2, read third time, lost.
- H. B. 23. To repeal an act entitled an act to require tax assessors of Dallas and Montgomery counties to give notice in a newspaper of their attendance at the precincts and to keep their offices open during the month of January, approved February 28, 1881.
February 12, read first time. February 13, read second, referred to finance.
- H. B. 24. To repeal an act entitled an act to require the tax collector of Dallas and Montgomery counties to

give notice in a newspaper of their attendance at the precincts and to keep their offices open during the month of January, approved February 28, 1881.

February 13, read first time. February 14, read second, referred to judiciary.

- H. B. 27. To authorize the Governor to issue five "Class A" bonds of the State in exchange for that number of past due bonds of the State, issued under an act of the General Assembly of Alabama, passed December 4, 1832, to increase the capital stock of the branch of the bank of the State of Alabama, in the town of Montgomery.

January 31, read first time. February 1, read second and referred to finance. February 21, reported favorably, read third, passed. February 23, signed.

- H. B. 33. To provide for a re-registration of all claims against the fine and forfeiture fund of Clarke county.

February 12, read first time. February 13, read second, referred to revision of laws. February 21, reported favorably, read third, passed. February 23, signed.

- H. B. 34. To repeal an act to better provide for the examination of the county offices, county jails, record of the courts of county commissioners and county chain gangs of Barbour and Coffee counties, in this State, and report thereon, approved February 26, 1881, so far as the same applies to the county of Coffee.

November 24, read first time. November 25, read second, referred to local legislation.

- H. B. 35. To repeal an act entitled an act for the preservation of game animals and birds in the counties of Lamar, Marion and Coosa, so far as the same applies to Coosa.

February 12, read first time. February 13, read second and referred to internal improvements.

- H. B. 37. To amend an act to amend section 4325 of the Code, approved February 15, 1881.
December 4, read first time. December 5, read second, referred to judiciary.
- H. B. 39. To punish the obtaining of money or property by means of false promises.
November 22, read first time. November 24, read second, referred to judiciary. January 24, reported adversely, postponed, special order for Saturday next. January 27, indefinitely postponed.
- H. B. 41. To require applicants for license to teach in the public schools of Alabama, who hold diplomas, to pay the same fees for license as other applicants.
November 27, read first time. November 28, read second and referred to committee on education. December 2, reported favorably, read third, passed. December 5, signed.
- H. B. 42. To repeal an act entitled "An act to require apportioners and overseers of roads in the counties of Fayette, Lamar, Marion and Cherokee to do road service after the expiration of their terms of service as such apportioners and overseers, so far as said act relates to Fayette, Lamar, Marion, St. Clair and Cherokee," approved February 13, 1879.
November 22, read first time. November 23, read second and referred to municipal and county organizations. November 25, reported favorably, read third, passed. November 29, signed.
- H. B. 44. To amend section 1 of an act approved February 13, 1879, for the preservation of game animals and birds in the counties therein named, so far as it relates to the county of Greene.
December 2, read first time. December 4, read second and referred to local legislation. February 10, reported substitute, adopted (caption amended), read third, passed. February 12, House concurs. February 14, signed.

- H. B. 45. To amend section 1 of an act entitled "An act to reduce the number of grand and petit jurors in Geneva county," approved February 5, 1877. February 3, read first time. February 5, read second and referred to local legislation. February 9, reported favorably, read third, passed. February 12, signed.
- H. B. 46. To prevent the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, or intoxicating bitters or beverages, by whatsoever name designated, within three miles of any coal-ing ground, coal mines, or mine, factory, furnace or rolling mill, in beats 1, 2 and 3, and of Hillman's mines, in beat 9, and of Woodward's coal mines, in Bethlehem beat, in Jefferson county. February 7, read first time. February 8, read second and referred to temperance. February 19, reported favorably, read third, passed. February 20, signed.
- H. B. 47. To repeal an act entitled "An act to regulate the publication of legal notices in the counties of Lamar and Fayette," approved February 4, 1879. November 24, read first time. November 25, read second and referred to judiciary. December 11, reported favorably, read third, passed. December 12, signed.
- H. B. 48. To repeal an act to abolish the office of tax collector in the counties of Baldwin, Escambia and Sanford (now Lamar), as to Lamar county. November 24, read first time. November 25, read second and referred to revision of laws. December 2, reported favorably, read third, passed. December 5, signed.
- H. B. 49. To protect innocent purchasers without notice of mortgaged personal property. January 26, read first time. January 27, read second and referred to judiciary.

- H. B. 53. To provide for the election of county commissioners of roads and revenues.
January 29, read first time. January 30, read second and referred to privileges and elections.
- H. B. 59. To incorporate the East Alabama Mining and Manufacturing Company.
February 20, read first time. February 21, read second and referred to temperance.
- H. B. 60. To amend section 2 of an act approved February 28, 1881, entitled "An act to prohibit the sale of spirituous, vinous or malt liquors, or other intoxicating beverages, in the counties of Etowah, Cherokee, DeKalb and Tallapoosa," so far as Tallapoosa and Etowah are concerned.
February 8, read first time. February 9, read second and referred to temperance. February 21, reported favorably, read third, passed. February 23, signed.
- H. B. 62. To permit defendants to make statements in their own behalf in all trials of indictments, complaints or other criminal proceedings.
November 23, read first time. November 24, read second, referred to judiciary. November 29, reported favorably, read third, passed. December 2, signed.
- H. B. 63. To punish the taking of rebates.
November 25, read first time. November 27, read second and referred to judiciary. November 29, reported favorably, read third, passed. December 2, signed.
- H. B. 64. To repeal an act entitled "An act for the protection of fish in Baldwin county," approved February 3, 1881.
February 12, read first time. February 13, read second, referred to local legislation. February 17, reported favorably, read third, passed. February 19, signed.

- H. B. 65. To amend an act entitled "An act to amend section 2681 of the Code," approved March 1, 1881. January 25, read first time. January 26, read second and referred to judiciary. February 2, reported favorably, read third, passed. February 5, signed.
- H. B. 66. To prevent the abandonment of contracts for advances secured in consideration of services to be performed. February 14, read first time. February 15, read second and referred to judiciary.
- H. B. 70. To allow the sheriff of Crenshaw, Conecuh and Chilton counties the same compensation for executing process of any kind in the justice's court as is now allowed by law for same service in the circuit court. November 25, read first time. November 27, amended, read second and referred to local legislation. December 11, reported favorably, amended (caption amended), postponed, special order for January 27. January 27, read third, passed. January 29, House concurs. January 30, signed.
- H. B. 71. To increase the jurisdiction of justices of the peace in Dallas, Choctaw, Cherokee, Elmore, Sumter, Geneva, Montgomery, Autauga, Lowndes, Perry, Clay, St. Clair, Coosa, Hale, Russell, Barbour, Madison, Limestone and Marengo counties. December 6, read first time. December 7, read second and referred to judiciary. February 2, reported amendment adopted, amended, postponed, special order for Monday 11 o'clock. February 5, amended, read third, passed. February 6, House concurs in part and refuses to concur as to entire amendment, Senate insists and asks for committee of conference, House accedes. February 9, report of conference committee received, concurred in by House and Senate. February 10, signed.

- H. B. 79. To repeal an act entitled an act to regulate the trial of misdemeanors in Jackson county.
November 24, read first time. November 25, read second and referred to judiciary.
- H. B. 81. To amend section 4340 of the Code.
November 25, read first time. November 27, read second and referred to judiciary. January 24, reported amendment, adopted, read third, passed. January 25, House concurs. January 26, signed.
- H. B. 82. To provide for the preservation of the census reports in the hands of probate judges in Alabama.
November 25, read first time. November 27, read second and referred to municipal and county organizations. December 4, reported favorably, read third, passed. December 5, signed.
- H. B. 83. To amend an act to require a person who employs or in any way engages laborers in the counties of Dallas, Perry and other counties therein named, for the purpose of removing said laborers from the State to pay a license.
February 13, read first time. February 14, read second and referred to local legislation.
- H. B. 85. To provide for the adjustment, compromise, and settlement of the indebtedness of the counties of Chambers, Randolph, Tallapoosa, Lee and Pickens arising from bonds issued by said counties in payment of stock subscribed to the capital stock of railroad companies.
November 29, read first time. December 1, read second, referred to special committee on that subject. December 2, reported favorably, postponed, special order for Monday next after reading journal. December 4, read third, passed. December 6, signed.
- H. B. 86. To provide what shall be receivable in payment of county taxes in Mobile county.
November 22, read first time. November 23, read second, referred to local legislation. November

28, reported favorably, read third, passed. December 2, signed.

- H. B. 87. To fix the fees of the justices of the peace and constables in the port and county of Mobile, and Calhoun and Dallas counties.
February 19, read first time. February 20, read second, referred to committee on local legislation. February 23, reported favorably, read third, passed, signed.
- H. B. 88. To amend section 3976 of the Code.
November 25, read first time. November 27, read second, referred to judiciary. January 24, reported favorably, read third, passed. January 26, signed.
- H. B. 90. To amend an act entitled an act to prevent in certain cases the sale, exchange and transportation of cotton in the counties of Montgomery, Bullock, Dallas, Russell, Lowndes, Wilcox, Sumter, Autauga, and in beats numbers 1, 2, 3, 4, 5, 6, 7, 8 and 9 of Hale county, and of cotton produced in said counties, approved February 1, 1879, so as to embrace Brush Creek beat of Perry county in the provisions of said act.
December 2, read first time. December 4, read second, referred to local legislation. January 26, reported favorably, read third, passed. January 29, signed.
- H. B. 91. To amend an act entitled an act for the preservation of game animals and birds in Perry county, approved February 26, 1881.
November 24, read first time. November 25, read second, referred to local legislation. November 28, reported favorably, read third, passed. December 2, signed.
- H. B. 95. To repeal an act for the preservation of game animals and birds in the counties of Mobile, Choctaw, Monroe, Clarke, Washington, Baldwin, Marengo, Lowndes, Sumter, Escambia, Hale,

Dallas, Montgomery and Greene, approved February 2, 1877, so far as the same applies to that part of Sumter county lying south of the township line dividing townships eighteen (18) and nineteen (19).

November 29, read first time. December 1, read second, referred to local legislation. February 10, reported amendment, adopted (caption amended), read third, passed. February 12, House concurs. February 13, signed.

- H. B. 96. To incorporate the "Mountain Mill Manufacturing and Railroad Company."

January 25, read first time. January 26, read second, referred to judiciary. February 2, returned and recommitted to internal improvements. February 12, reported favorably, read third, passed. February 14, signed.

- H. B. 97. To prevent the change or the mutilation of marks, brands or numbers on cotton by warehousemen or others.

December 4, read first time. December 5, read second, referred to committee on industrial resources. February 15, reported favorably, read third, passed. February 17, signed.

- H. B. 98. To give landlords of store-houses a lien on the goods of their tenants for rent.

December 6, read first time, December 7, read second, referred to judiciary. February 23, reported substitute, adopted (caption amended), read third and passed. February 23, House concurs, signed.

- H. B. 100. To punish a person drunk and disorderly in a public place.

February 12, read first time. February 13, read second, referred to judiciary.

- H. B. 101. To incorporate the Coosa Mining and Manufacturing company.

February 10, read first time. February 12, read

second, referred to internal improvements. February 19, reported favorably, read third, passed. February 29, signed.

- H. B. 104. To amend section 1515 of the Code.
January 26, read first time. January 27, read second, referred to revision of laws. February 7, reported amendment, adopted, read third, passed. February 8, motion to reconsider made, House requested to return, and returns, motion to reconsider withdrawn, ordered to House. House concurs in Senate amendment. February 9, signed.
- H. B. 105. To amend section 871 of the Code of Alabama, so as to include houses or other buildings.
November 25, read first time. November 27, read second, referred to revision of laws. December 2, reported favorably, read third, passed. December 4, votes on passage and ordering to a third reading, reconsidered, amended and recommitted to revision of laws. December 12, reported amendments, postponed, made special order for January 24. January 24, postponed, made special order for to-morrow, 11 o'clock. January 25, taken up, amendments adopted, read third, passed.
- H. B. 106. To better provide for the protection of domestic animals against poison.
February 20, read first time. February 21, read second, referred to industrial resources.
- H. B. 108. To legalize and make valid the municipal election to be held in the city of Birmingham on the first Tuesday of December, 1882, and the registration of votes therefor now being made in said city, as the same have been ordered and directed to be made, by the mayor and aldermen of said city, to prescribe the residence of electors in said city at said election.
November 23, read first time. November 24, read second, referred to special committee. November

25, reported favorably, read third, passed. November 29, signed.

- H. B. 110. To amend section 2678 of the Code.
January 26, read first time. January 27, read second, referred to committee on revision of laws.
- H. B. 111. To repeal an act entitled an act in relation to trials of misdemeanors in Tuscaloosa and other counties therein named, so far as Lamar county is concerned.
November 25, read first time. November 27, read second, referred to revision of laws. December 11, reported favorably, read third, passed. December 12, signed.
- H. B. 112. To amend sub-division 4, of section 757 of the Code of Alabama, to increase the jurisdiction of justices of the peace and notaries public, who are *ex officio* justices of the peace, in actions brought to recover specific property.
November 27, read first time. November 28, read second, referred to judiciary.
- H. B. 116. To make an additional appropriation to the public schools.
February 6, read first time. February 7, read second, referred to finance. February 14, reported amendment, lost; amended, read third, passed. House concurs. February 16, signed.
- H. B. 118. To make the fees of bonded constables of Marengo county the same as the sheriffs, when performing the same services.
November 25, read first time. November 27, amended, (caption amended), read second, referred to local legislation. December 9, reported favorably, read third, passed. December 11, House concurs.
- H. B. 119. To repeal an act for the preservation of game animals and birds in the counties of Lamar, Marion and Coosa, approved March 1, 1881, so far as the same relates to Marion county.

February 12, read first time. February 13, read second, referred to internal improvements.

- H. B. 121. To provide for the compensation of jurors in Mobile county.
November 25, read first time. November 27, read second, referred to revision of laws. December 4, reported favorably, read third, postponed, made special order after journal to-morrow. December 5, passed. December 7, signed.
- H. B. 125. To amend sections 3218 and 3219 of the Code.
November 25, read first time. November 27, read second, referred to judiciary.
- H. B. 128. To regulate the payment of fines and forfeitures in Talladega and Cullman counties.
January 29, read first time. January 30, referred to judiciary.
- H. B. 130. To authorize the commissioners court of Barbour county to establish or abolish districts in which stock may be prevented from running at large.
December 4, read first time. December 5, read second, referred to local legislation. December 12, reported amendment, adopted, read third, passed. December 12, House concurs, signed.
- H. B. 131. To amend section 1545 of the Code.
November 28, read first time. November 29, read second, referred to temperance. January 27, reported favorably; consideration interrupted by special order, (amendment pending). January 29, pending amendment adopted, amended, read third, passed. January 31, House concurs. February 1, signed.
- H. B. 132. To repeal an act entitled an act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous, or malt liquors or intoxicating biters in Manningham beat, in Butler county, and other localities therein named, approved February 28, 1881.

February 7, read first time. February 8, read second, referred to temperance.

- H. B. 133. For the relief of James B. Farmer, sheriff of Calhoun county.

November 28, read first time. November 29, read second, referred to local legislation. December 2, reported favorably, postponed, made special order for Monday next. December 4, recommitted to local legislation. December 9, reported favorably, read third and recommitted to same committee. January 26, reported favorably, read third, lost.

- H. B. 139. To repeal an act entitled an act to amend section 1544 of the Code, approved March 1, 1881, relating to recommendation necessary to obtain license so far as the counties of Cullman, Coosa, and Marshall are concerned.

November 28, read first time. November 29, read second, referred to temperance. February 21, reported amendment, read third, passed, House concurs (caption amended). February 23, signed.

- H. B. 140. To provide for summary judgments against judges of probate and tax collectors.

December 8, read first time. December 9, read second, referred to judiciary. February 3, reported substitute, made special order for Monday 12 o'clock. February 5, substitute adopted and indefinitely postponed. February 6, motion to reconsider, postponed, special order for Thursday next. February 8, motion to reconsider agreed to, substitute adopted, read third, lost.

- H. B. 145. To repeal an act, approved March 18, 1875, to consolidate the offices of sheriff and tax collector of the county of Fayette.

February 12, read first time. February 13, read second, referred to revision of laws. February 23, reported favorably, read third, passed. February 23, signed.

- H. B. 146. To protect fish in the State of Alabama.
February 20, read first time. February 21, read second, referred to temperance.
- H. B. 148. To render competent as witnesses in the courts of this State certain persons.
February 19, read first time. February 20, read second, referred to judiciary. February 21, reported favorably, read third, passed. February 23, signed.
- H. B. 151. For the relief of Elisha B. Lott and his sureties, as tax collector of Mobile county.
November 27, read first time. November 28, read second, referred to finance. December 9, reported favorably, adverse minority report made, postponed till January 29. January 29, taken up, unfinished business. January 30, amended, read third, passed. January 31, House concurred. February 1, signed.
- H. B. 153. To prevent the taking and catching of oysters within the waters of this State by persons who are not residents of the State; and to provide penalties for violations of this act, and proceedings to enforce the same.
December 1, read first time. December 2, read second, referred to federal relations. December 9, reported favorably, read third, passed. December 11, signed.
- H. B. 154. To regulate the buying and selling of oysters in the shell by measure.
December 1, read first time. December 2, read second, referred to internal improvements. December 9, reported favorably, read third, passed. December 11, signed.
- H. B. 156. To amend section 4218 of the Code.
January 26, read first time. January 27, read second, referred to judiciary.

- H. B. 157. To punish stealing of dogs, and provide for their recovery.
January 26, read first time. January 27, read second, referred to judiciary.
- H. B. 161. To regulate the fine and forfeiture fund of St. Clair county.
December 6, read first time. December 7, read second, referred to municipal and county organizations. February 14, reported favorably, read third, passed. February 16, signed.
- H. B. 163. To make an appropriation for the benefit of the sheriffs of this State.
November 23, read first time. November 24, read second, referred to finance. December 5, reported substitute, adopted, (caption amended); read third, passed. December 8, House concurred, signed.
- H. B. 164. To amend section 2945 of the Code.
November 27, read first time. November 28, read second, referred to judiciary. January 24, reported favorably, read third, passed. January 26, signed.
- H. B. 165. To amend section 3317 of the Code.
January 27, read first time. January 29, read second, referred to judiciary.
- H. B. 167. To amend section 1 of an act, approved December 8, 1873, to prohibit the sale or giving away of spirituous liquors within five miles of Sulphur Spring church, Cane Creek church, Oak Bowery church, Mount Zion church, and Hebron church in Calhoun county, and Blue Eye church, Refuge church, Bethel church, Forest Hill church and the colored people's church (near Forest Hill) in Talladega county, Alabama.
November 28, read first time. November 29, read second, referred to temperance. January 31, reported favorably, read third, passed. February 2, signed.

- H. B. 170. To provide for an election by the legal electors of Dale county on the question of prohibition or no prohibition of the making or selling, or otherwise disposing of any spirituous or malt liquors or intoxicating bitters of any kind, in any quantity, within Dale county, the same being prohibited by an act entitled an act to prohibit the making, selling or otherwise disposing of spirituous or malt liquors or intoxicating bitters of any kind, in any quantity, within the counties of Dale and Henry, approved February 26, 1881, except as provided in said act.
December 5, read first time. December 7, read second, referred to special committee. December 9, reported favorably, read third, passed. December 12, signed.
- H. B. 171. To enable mortgagees and beneficiaries to protect their interests by purchasing at sales under powers in mortgages and deeds of trust, and to define the rights of mortgagor and mortgagee in certain cases.
January 26, read first time. January 27, read second, referred to judiciary.
- H. B. 172. To prohibit the sale of liquors in Dallas county, except in Selma.
February 7, read first time. February 8, read second, referred to local legislation. February 10, reported amendment, adopted, read third, passed. February 12, House concurred in part, refused to concur in part, Senate insists and requests committee of conference, House accedes.
- H. B. 174. To allow the qualified voters of Escambia county to locate the county site by ballot.
February 13, read first time. February 14, read second, referred to industrial resources. February 15, reported favorably, read third, passed. February 17, signed.
- H. B. 175. To repeal an act, approved February 8, 1877, regulating the fine and forfeiture fund of the counties

of Bibb, Fayette, Marion and Blount, so far as the same relates to the county of Fayette.

February 13, read first time. February 14, read second, referred to revision of laws.

- H. B. 176. To amend an act entitled an act to amend section 4205 of the Code, approved February 26, 1881.
February 19, read first time. February 20, read second, referred to judiciary.
- H. B. 180. To amend an act entitled an act to amend section 3524 of the Code, approved January 17, 1879.
February 20, read first time. February 21, read second, referred to judiciary.
- H. B. 184. To amend an act entitled an act to require banks, bankers, insurance companies and others engaged in the business of lending money to give receipts for collaterals, approved February 12, 1879.
November 29, read first time. December 1, read second, referred to judiciary. January 24, reported favorably, read third, passed. January 26, signed.
- H. B. 185. To repeal section 6 of an act entitled an act to provide for the regulation of railroad companies and persons operating railroads in this State, approved February 26, 1881.
February 3, read first time. February 5, read second, referred to judiciary.
- H. B. 187. To amend section 15 of an act to provide for the regulation of railroad companies and persons operating railroads in this State, approved February 26, 1881.
February 3, read first time. February 5, read second, referred to judiciary. February 23, reported favorably, read third, passed, signed.
- H. B. 188. To repeal sections 5 and 33 of an act entitled an act to provide for the regulation of railroad companies and persons operating railroads in this State, approved February 26, 1881.

February 5, read first time. February 6, read second, referred to judiciary.

- H. B. 189. To repeal section twenty-six (26) of an act entitled an act to provide for the regulation of railroad companies and persons operating railroads in this State, approved February 26, 1881.

February 3, read first time. February 5, read second, referred to judiciary.

- H. B. 190. To authorize the railroad commission of Alabama to prepare and recommend joint local freight rates to be used upon two or more railroads in this State, when such railroads are operated, or their operation controlled by one or more railroad companies or by a system of railroad companies or persons.

February 3, read first time. February 5, read second, referred to judiciary.

- H. B. 194. To provide that any determination of any matter by the railroad commission of Alabama in the course of proceedings before said commission relating to the regulation or supervision of railroad companies or persons operating any railroad in this State, and coming within the jurisdiction of said commission, proof of the fact of such determination so made by the said commission shall be received in all courts or other proceedings at law or in equity, or before any officer as *prima facie* evidence that such determination of such matter by the said commission was right and proper.

February 5, read first time. February 6, read second, referred to judiciary. February 23, reported favorably, read third, passed, signed.

- H. B. 196. To require railroad companies and persons operating railroads in this State to keep such books of account as will clearly, correctly and distinctly set forth and show the earnings, receipts and expenditures of said railroad.

February 3, read first time. February 5, read second, referred to judiciary.

- H. B. 197. To relieve Charles R. Long, of Montgomery county, of the disabilities of non-age.
February 12, read first time. February 13, read second, referred to judiciary. February 23, reported favorably, read third, passed, signed.
- H. B. 201. To amend an act to amend section 1544 of the Code of Alabama, so far as the same relates to the counties of Pike, Butler and Coffee.
December 9, read first time. December 11, read second, referred to special committee. December 12, reported favorably, read third, passed, signed.
- H. B. 202. For the protection of game in the county of Pike.
February 13, read first time. February 14, read second, referred to internal improvements.
- H. B. 203. To amend section 4409 of the Code.
November 27, read first time. November 28, read second, referred to judiciary.
- H. B. 205. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages of any description whatever, at or within certain localities in this State hereinafter designated: At or within three miles of Godfrey High School, in Winston county; at or within two and one-half miles of Uchee Academy, in Russell county; at or within three miles of Philadelphia and Liberty churches, in Marion county; at or within two miles of Saville church and school-house, in Crenshaw county; at or within three miles of Wesley Chapel school-house, near Brock's Gap, and Toadvine, in Jefferson county; at or within four miles of Friendship Baptist church, in Montgomery county; within South Lowell beat No. 2, Walker county.
January 30, read first time. January 31, read second, referred to temperance. February 21, reported favorably, amended, read third, passed (caption amended), House concurs. February 23, signed.

- H. B. 212. To form a separate school district out of townships 5 and 6, ranges 21 and 22, embracing the Clintonville school, in Coffee county.
February 12, read first time. February 13, read second, referred to education. February 23, reported favorably, read third, passed, signed.
- H. B. 213. To amend an act entitled "An act for the relief of E. M. Grimmer, of Dale county," approved February 13, 1879.
February 1, read first time. February 2, read second, referred to local legislation.
- H. B. 218. To amend section 2461 of the Code.
February 20, read first time. February 21, read second, referred to judiciary.
- H. B. 225. To prevent camp-hunting in the counties of Marion, Winston and Walker.
February 13, read first time. February 14, read second, referred to internal improvements. February 23, reported favorably, read third, passed, signed.
- H. B. 227. To protect the interests of defendants whose debtors are garnisheed.
February 20, read first time. February 21, read second, referred to judiciary.
- H. B. 232. To regulate the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or other intoxicating beverages, in the county of Pickens.
February 8, read first time. February 9, read second, referred to temperance. February 17, reported favorably, read third, passed. February 19, signed.
- H. B. 235. To amend an act entitled "An act to amend section 4358 of the Code," approved November 26, 1880.
February 20, read first time. February 21, read second and referred to judiciary.

- H. B. 236. To amend an act entitled "An act to provide additional accommodations for the insane of Alabama," approved February 26, 1881.
November 27, read first time. November 28, read second, referred to finance. December 11, reported favorably, read third, passed. December 12, signed.
- H. B. 238. To repeal an act entitled "An act to provide a fund for the payment of the witnesses for the State in the circuit and county courts of Tuscaloosa county, and prescribe their compensation," approved March 1, 1881.
December 6, read first time. December 7, read second, referred to local legislation. December 9, reported favorably, read third, passed. December 11, signed.
- H. B. 239. For the preservation of game animals and birds in the county of Tuscaloosa.
February 12, read first time. February 13, read second, referred to internal improvements. February 21, reported favorably, read third, passed. February 23, signed.
- H. B. 245. To include the county of Cullman in the seventh congressional district of Alabama.
January 29, read first time. January 30, read second, referred to revision of laws. February 7, reported favorably, read third, passed. February 9, signed.
- H. B. 246. To include the county of Cullman in the third senatorial district of Alabama.
January 30, read first time. January 31, read second, referred to revision of laws. February 7, reported favorably, read third, passed. February 9, signed.
- H. B. 247. To require the solicitors of this State to make annual reports to the Attorney-General of the number of persons prosecuted upon criminal charges during the year preceding, in each of the coun-

ties in their respective jurisdictions, the character of the alleged offenses, the result of the trials and the punishments imposed.

December 6, read first time. December 7, read second, referred to judiciary. February 2, reported favorably, read third, passed. February 5, signed.

- H. B. 249. To constitute the town of Anniston a separate school district.

January 27, read first time. January 29, read second, referred to special committee. January 30, reported amendment, adopted, read third, re-committed to special committee. February 1, reported favorably, passed, House concurs. February 2, signed.

- H. B. 250. To authorize and empower the corporate authorities of the town of Anniston to levy and collect license taxes upon all occupations and avocations that may be carried on within the corporate limits of said town.

February 12, read first time. February 13, read second, referred to municipal and county organizations. February 17, reported favorably, read third, passed. February 19, signed.

- H. B. 252. To regulate the granting of licenses to sell spirituous or vinous liquors in the county of Covington.

February 8, read first time. February 9, read second, referred to temperance. February 21, reported favorably, read third, passed. February 23, signed.

- H. B. 253. To protect the rights of tenants for years, or for life, and of remainder men in money coming into the hands of probate judges of this State.

February 20, read first time. February 21, read second, referred to judiciary.

- H. B. 255. To amend section 1630 of the Code, so far as the same relates to Jefferson county, and otherwise

regulate the working of the public roads in said county.

February 17, read first time. February 19, read second, referred to internal improvements. February 23, reported favorably, read third, passed, signed.

H. B. 264. To authorize the people of Winston county to vote on the question of removing the county seat of said county and to permanently locate the same. December 7, read first time. December 8, read second, referred to special committee. December 9, reported favorably, read third, passed. December 12, signed.

H. B. 265. To prohibit stock from running at large in Dallas county, except in certain portions of said county, herein specified.

January 31, read first time. February 1, read second, referred to local legislation. February 10, reported favorably, with amendments, adopted, read third, passed, (caption amended). February 12, House concurs. February 13, signed.

H. B. 266. To abolish the county court of Greene county and to repeal chapter 6 of title 9 of part 1, and chapter 6 of title 3 of part 5 of the Code of Alabama, so far as the same applies to Greene county.

February 12, read first time. February 13, read second, referred to local legislation. February 21, reported amendments, adopted, read third, passed. February 23, House concurs, signed.

H. B. 268. To incorporate the Fowl River Improvement and Canal Company.

February 9, read first time. February 10, read second and referred to municipal and county organizations. February 15, reported favorably, read third, passed. February 17, signed.

H. B. 269. To authorize the county of Mobile to make and issue its bonds to a limited amount for a certain specific purpose.

December 6, read first time. December 7, read second, referred to finance. December 9, reported favorably, read third, passed. December 12, signed.

- H. B. 271. To amend section 1719 of the Code.

December 6, read first time. December 7, read second, referred to revision of laws. February 7, reported amendment, adopted, read third, passed. February 8, House refuses to concur, Senate insists and asks for committee of conference, House accedes. February 10, committee of conference report concurred in by House and Senate. February 12, signed.

- H. B. 274. To regulate the fees of probate judges in cases not now provided for by law.

December 4, read first time. December 5, read second, referred to revision of laws.

- H. B. 275. To amend an act entitled an act for the preservation of game animals and birds in Perry county, approved February 26, 1881.

February 12, read first time. February 13, read second, referred to internal improvements. February 21, reported favorably, read third, passed. February 23, signed.

- H. B. 278. To amend an act entitled an act to amend section 3496 of the Code, approved December 7, 1878.

February 15, read first time. February 16, read second, referred to revision of laws. February 21, reported favorably, read third, passed. February 23, signed.

- H. B. 279. In relation to trials of misdemeanors in Walker county.

January 25, read first time. January 26, read second, referred to judiciary. February 23, reported favorably, read third, passed, signed.

- H. B. 280. To regulate the payment of sheriffs' fees for feeding prisoners in jail.

December 7, read first time. December 8, read second, referred to special committee. December 9, reported amendment, adopted, read third, passed. December 11, House concurs, signed.

- H. B. 281. To permanently locate the seat of justice in Blount county.

December 8, read first time. December 9, read second, referred to special committee. December 11, reported favorably, read third, passed. December 12, signed.

- H. B. 284. To fix the time of holding the circuit courts of the 5th judicial circuit of Alabama.

January 30, read first time. January 31, read second, referred to judiciary. February 6, reported favorably, read third, passed. February 7, signed.

- H. B. 285. To amend section 823 of the Code.

January 27, read first time. January 29, read second, referred to finance. February 3, reported favorably, recommitted to finance. February 23, reported favorably, read third, passed, signed.

- H. B. 288. To authorize and require the Governor to destroy all uncurrent funds in the treasury, and all six per cent bonds that have not been issued.

December 7, read first time. December 8, read second, referred to finance. December 11, reported amendments, adopted, read third, passed; House concurs. December 12, signed.

- H. B. 289. For the preservation of game animals and birds in the county of Tuscaloosa.

February 12, read first time.

- H. B. 290. To regulate the drawing and empanneling of grand and petit juries in Dallas county.

December 5, read first time. December 7, read second, referred to judiciary. December 11, re-

ported amendment, adopted, read third, passed ;
House concurs. December 12, signed.

- H. B. 291. For the relief of Benjamin H. Craig, of Dallas county.
January 29, read first time. January 30, read second, referred to local legislation. February 9, reported favorably, read third, passed. February 10, signed.
- H. B. 299. To incorporate the grand lodge of Knights of Pythias of the State of Alabama, and the subordinate lodges under its jurisdiction.
February 19, read first time. February 20, read second, referred to local legislation. February 23, reported favorably, read third, passed, signed.
- H. B. 302. To fix and regulate the price of theatrical license in Marion, Perry county.
February 13, read first time. February 14, read second, referred to finance.
- H. B. 305. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, or cordials, or fruit preserved in alcoholic liquors, within five miles of High Lands Home Institute, Crenshaw county, Alabama.
December 6, read first time. December 7, read second, referred to special committee. December 8, reported favorably, read third, passed. December 9, signed.
- H. B. 306. To require stock buyers and shippers, in the county of Sumter, to file a list and description of all stock bought by them, under oath, with a justice of the peace, and to require justices of the peace to keep a record of the same for the inspection of the public.
December 4, read first time. December 5, read second, referred to local legislation. December 11, reported favorably, postponed, special order for January 30. January 30, read third, passed, (caption amended). January 31, House concurred. February 1, signed.

- H. B. 307. To incorporate the Talladga Real Estate and Loan Association.
February 13, read first time. February 14, read second, referred to finance. February 17, reported favorably, read third, passed. February 19, signed.
- H. B. 309. To amend an act entitled an act to amend an act entitled an act to amend section 5042 of the Code, approved February 13, 1879, approved, December 8, 1880.
February 14, read first time. February 15, read second, referred to printing. February 21, reported favorably, read third, passed, signed.
- H. B. 310. To amend section 2251 of the Code.
February 20, read first time. February 21, read second, referred to judiciary.
- H. B. 312. To provide the manner in which notice shall be given to non-resident defendants in attachment.
January 25, read first time. January 26, read second, referred to judiciary. February 21, reported amendment, adopted, read third, passed; House concurs, (caption amended). February 23, signed.
- H. B. 315. To amend section thirty-four of an act entitled an act to incorporate the port of Mobile, and to provide for the government thereof, approved February 11, 1879.
December 2, read first time. December 4, read second and referred to municipal and county organizations. December 12, reported favorably, amended, read third, passed; House concurs. January 26, signed.
- H. B. 319. To amend section (1) one of an act entitled an act to amend section 1544 of the Code of Alabama, so far as the same relates to the counties of Blount, Cullman, Cleburne, Washington, Coosa, Autauga, St. Clair, Elmore, Marshall, Dale and Chilton, so far as the same relates to the county of Chilton.

February 8, read first time. February 9, read second, referred to local legislation. February 10, reported favorably, read third, passed. February 13, passed.

H. B. 320. To amend section one of an act entitled an act to authorize the probate judge of Chilton county to order elections in certain cases to determine whether spirituous, vinous or malt liquors shall be sold, given away or otherwise disposed of in said county, or in any beat or incorporated city or town therein, approved February 26, 1881. February 8, read first time. February 9, read second, referred to temperance. February 21, reported favorably, read third, passed. February 23, signed.

H. B. 321. To regulate the fine and forfeiture fund of Chilton county. February 19, read first time. February 20, read second, referred to revision of laws. February 23, reported favorably, read third and passed, signed.

H. B. 322. To repeal an act entitled an act to repeal section 1374 of the Revised Code of Alabama, so far as it relates to the counties of Dale, Jackson and Conecuh, approved February 23, 1875, so far as the same relates to the county of Conecuh. February 20, read first time. February 21, read second, referred to revision of laws.

H. B. 323. To amend section 1544 of the Code. December 11, read first time. December 12, read second, referred to temperance. January 29, reported favorably, pending consideration a special order. January 30, recommitted to temperance committee with pending amendment, with instructions to report by 12 o'clock to-morrow. January 31, reported adversely as to pending amendment and favorably as to bill, report concurred in as to amendment, bill read third, passed. February 2, signed.

- H. B. 324. To prohibit the running of railroad trains for the transportation of freight or excursion trains on Sunday.
February 19, read first time. February 20, read second, referred to internal improvements.
- H. B. 326. To amend an act entitled an act to prohibit the making, selling or otherwise disposing of spirituous or malt liquors or intoxicating bitters of any kind, in any quantity, within the counties of Dale and Henry, approved February 26, 1881, so far as the same relates to Henry county.
February 8, read first time. February 9, read second, referred to special committee. February 10, reported favorably, read third and passed. February 13, signed.
- H. B. 330. To repeal an act to establish a new charter for the city of Opelika, and amendments thereof.
December 5, read first time. December 7, read second, referred to judiciary. December 11, reported favorably, read third, passed. December 12, signed.
- H. B. 331. To exempt operatives and mechanics working in cotton mills and machine shops who live in Lee and Russell counties from public road duty.
February 16, read first time.. February 17, read second, referred to revision of laws.
- H. B. 333. To amend an act to establish a Normal school for colored teachers at Tuskegee, approved February 10, 1881.
February 2, read first time. February 3, read second, referred to education. February 12, reported favorably, recommitted to committees on finance and education. February 14, reported favorably, read third, passed. February 15, signed.
- H. B. 338. To amend section 1807 of the Code.
December 5, read first time. December 7, read second, referred to judiciary. February 2, re-

ported favorably, read third, passed. February 5, signed.

- H. B. 339. To require the payment of fines and forfeitures in Mobile county in lawful money of the United States.
December 6, read first time. December 7, read second, referred to judiciary. January 26, reported favorably, amended, read third, passed. January 27, House concurs. January 29, signed.
- H. B. 341. To regulate the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating bitters or patent medicines, having alcohol as a base, in the county of Calhoun.
December 9, read first time. December 11, read second, referred to special committee. December 12, reported favorably, read third, passed, signed.
- H. B. 342. To regulate the discharge of patients from the Alabama Insane Hospital in certain cases.
February 14, read first time. February 15, read second, referred to internal improvements.
- H. B. 345. To transfer the jury funds to the special funds of Washington county.
February 13, read first time. February 14, read second, referred to municipal and county organizations. February 15, reported favorably, read third, passed. February 16, signed.
- H. B. 346. To incorporate the Society of Alumnae of the Judson Female Institute, located at Marion, Perry county.
February 9, read first time. February 10, read second, referred to municipal and county organizations. February 14, reported favorably, read third, passed. February 16, signed.
- H. B. 347. To establish a new charter for the city of Opelika.
December 6, read first time. December 7, read second, referred to judiciary. December 11, reported favorably, read third, passed. December 12, signed.

- H. B. 348. To regulate the *ex officio* fees of the sheriff in Blount county.
February 13, read first time. February 14, read second, referred to municipal and county organizations.
- H. B. 353. To repeal sections 518, 519, 520 and 521 of the Code of Alabama.
February 19, read first time. February 20, read second, referred to finance.
- H. B. 355. To amend an act to amend an act to amend section 1817 of the Code, approved February 11, 1881.
February 16, read first time. February 17, read second, referred to revision of laws. February 23, reported favorably, read third, passed, signed.
- H. B. 356. To divide the State into four chancery divisions, and provide for the election of a chancellor in the western division.
December 6, read first time. December 7, read second, referred to special committee.
- H. B. 364. To amend section 2247 of the Code of Alabama.
February 19, read first time, February 20, read second, referred to judiciary.
- H. B. 370. To provide for the election of the county superintendents of education and township trustees of public schools by a vote of the people, in the counties of Lamar, Coosa, Cherokee, Limestone, Madison, Jackson, Colbert, Franklin, Blount, Lawrence, Marion, Cullman, DeKalb, Walker, Crenshaw, Fayette, Winston, Tallapoosa, Elmore, Etowah and Dale, and for the election of superintendent of education in Dale county.
February 6, read first time. February 7, read second, referred to privileges and elections. February 23, reported amendment, adopted, read third, amended by unanimous consent, passed, House concurs, signed.

H. B. 375. To require the courts of county commissioners of Conecuh and Monroe counties to provide for working the Old Federal road, the boundary line between said counties.

February 16, read first time. February 17, read second, referred to local legislation. February 19, reported favorably, read third, passed. February 20, signed.

H. B. 376. To prohibit the sale, giving away or other disposition of spirituous, vinous or malt liquors, except in certain cases, in Perryville beat, Perry county. February 15, read first time. February 16, read second, referred to temperance. February 17, reported favorably, read third, passed, House concurs. February 19, signed.

H. B. 377. To authorize Mrs. E. F. Hurley, wife of W. P. Hurley, deceased, late of Pike county, to sell certain lands and personal property lying and being in said county.

February 20, read first time. February 21, read second, referred to local legislation. February 23, reported favorably, read third, passed. February 23, signed.

H. B. 379. To provide for the establishing of a separate school district, to be known as the Peabody School District, in Lee and Russell counties, and for the appointment of a board of trustees for said school district, with certain powers and privileges.

December 9, read first time. December 11, read second, referred to special committee. December 12, reported amendment, adopted, read third, passed. January 24, House requested to return, House returns, votes on passage and ordering to third reading reconsidered and recommitted to committee on local legislation. February 9, reported substitute, adopted, House concurs (caption amended). February 10, signed.

H. B. 383. To amend an act to prohibit the sale of vinous or

spirituous liquors within eight miles of the courthouse at St. Stephens, in Washington county, approved February 22, 1876.

February 15, read first time. February 16, read second, referred to temperance. February 21, reported favorably, read third, passed. February 23, signed.

- H. B. 385. To amend section 5002 of the Code of Alabama. February 6, read first time. February 7, read second, referred to penitentiary. February 20, reported favorably, read third, passed. February 23, signed.
- H. B. 386. To regulate the weight of a bushel of cotton seed. February 5, read first time. February 6, read second, referred to internal improvements. February 13, reported favorably, read third, passed. February 15, signed.
- H. B. 387. To vacate and annul the charter and dissolve the corporation of the city of Selma, and to provide for the application of the assets thereof to the payment of the debts thereof. December 6, read first time. December 7, read second, referred to local legislation. December 9, reported favorably, read third (*afternoon session*), passed. December 11, signed.
- H. B. 388. To amend an act to fix the time of holding the circuit courts in the second judicial circuit, approved February 13, 1879. January 25, read first time. January 26, read second, referred to special committee. January 27, reported favorably, read third, passed, motion to reconsider, postponed, special order for Tuesday next. January 31, votes on passage and ordering to third reading reconsidered, amended, read third, passed. February 1, House concurs. February 2, signed.
- H. B. 389. To amend section 750 of the Code, so far as relates to the county of Butler.

January 25, read first time. January 26, read second, referred to printing. February 21, reported favorably, read third, passed. February 23, signed.

- H. B. 390. To fix the time of holding the circuit courts in Calhoun county.

December 6, read first time. December 7, read second and referred to special committee. December 8, reported favorably, read third, passed. December 9, signed.

- H. B. 392. To prevent stock, in a certain event, from running at large in Chambers county, and to provide for the enforcement of the same.

February 15, read first time. February 16, read second and referred to local legislation. February 21, reported favorably, read third, passed. February 23, signed.

- H. B. 396. To provide for the security and protection of the public bridges in the county of Coffee.

December 8, read first time. December 9, read second, referred to special committee. December 11, reported favorably, read third, passed. December 12, signed.

- H. B. 397. To amend section 3 of an act entitled "An act to incorporate the town of Cherokee, in Colbert county," approved December 7, 1871.

December 11, read first time. December 12, read second, referred to municipal and county organizations. January 27, reported favorably, read third, amended by unanimous consent, passed. January 29, House concurs. January 30, signed.

- H. B. 399. To prohibit the running of logs or timber without clamping or binding the same, during the season of high waters in the stream of Burnt Corn and its tributaries, in the counties of Conecuh and Escambia.

February 17, read first time. February 19, read second, referred to industrial resources.

- H. B. 404. To protect fish in the counties of Madison, Jackson, Marshall and Morgan.
February 12, read first time. February 13, read second, referred to revision of laws. February 23, reported favorably, read third, passed. February 23, signed.
- H. B. 406. To amend an act to prohibit the sale or giving away of any vinous, spirituous or malt liquors in the town of Dayton, or within six miles of said town, approved December 4, 1880.
December 6, read first time. December 7, read second, referred to temperance. December 11, reported favorably, read third, passed. December 12, signed.
- H. B. 410. To amend sections 1994 and 1996 of the Code.
February 2, read first time. February 3, read second, referred to judiciary.
- H. B. 413. To repeal section 4 of an act entitled "An act to regulate the fine and forfeiture fund of certain counties," approved February 13, 1879, in so far as the same relates to Talladega county.
February 13, read first time. February 14, read second, referred to revision of laws. February 21, read third, passed. February 23, signed.
- H. B. 415. To authorize the probate judges of Tallapoosa and Etowah counties to order an election to determine whether spirituous, vinous, or malt liquors or other intoxicating beverages, shall be sold, given away, or otherwise disposed of in said counties, the same being prohibited by an act, entitled an act to prohibit the sale of spirituous, vinous or malt liquors, or other intoxicating beverages, in the counties of Etowah, Cherokee, DeKalb and Tallapoosa, approved Feb. 28, 1881.
February 9, read first time. February 10, read second and referred to temperance. February 21, reported adversely, report tabled, amended, read third, passed; House concurs, (caption amended). February 23, signed.

- H. B. 416. To protect *bona fide* purchasers of property in certain cases.
February 19, read first time. February 20, read second and referred to judiciary.
- H. B. 419. To repeal act for the preservation of game animals and birds in the counties of Mobile, Monroe, Marengo, Dallas, Lowndes, Hale, Montgomery, Clarke, Greene, Wilcox, Pike, Talladega, Pickens, Bibb, Autauga, Chilton, Clay and Jefferson, so far as relates to beat number one (Kingdom beat), and beat number nine (River Bend beat), in Bibb county.
February 13, read first time. February 14, read second and referred to internal improvements.
- H. B. 420. To pay W. J. B. Padgett and Robert Hasson, doorkeepers of the Senate and House of Representatives, respectively, for certain articles furnished the Senate and House of Representatives, and for repairs.
December 9, read first time. December 11, read second and referred to finance. December 12, reported amendment, adopted read third, passed; House concurs. December 12, signed.
- H. B. 423. To incorporate the inhabitants and territory formerly embraced within the corporate limits of the municipal corporation since dissolved, styled the city of Selma, and to establish a local government therefor.
December 8, read first time. December 9, read second and referred to municipal and county organizations. February 6, reported amendment, adopted, read third. February 7, passed. February 15, signed.
- H. B. 424. For the relief of William K. McConnell, late tax collector Dallas county.
February 19, read first time. February 20, read second, referred to finance. February 23, reported favorably, read third, passed, signed.

- H. B. 427. To amend section 4049 of the Code.
February 20, read first time. February 21, read second, referred to judiciary.
- H. B. 428. To limit the amount of spirits prescribed by physicians in Franklin county, State of Alabama.
February 14, read first time. February 15, read second, referred to temperance.
- H. B. 430. To prevent stock from running at large in certain portions of Hale county.
February 13, read first time. February 14, read second, referred to local legislation. February 23, amendment, adopted, read third, passed; House concurs, signed.
- H. B. 432. To repeal an act entitled an act to prevent attorneys and solicitors becoming sureties on official bonds of officers of courts, so far as the same relates to the county of Jackson.
February 13, read first time. February 14, read second, referred to revision of laws.
- H. B. 435. To establish a separate school district in Marengo county, to be known as the Faunsdale school district.
January 21, read first time. February 1, read second and referred to committee on education. February 12, reported favorably, read third, passed. February 13, signed.
- H. B. 438. To make thanksgiving days legal holidays in the counties of Montgomery and Dallas.
February 19, read first time. February 20, read second and referred to internal improvements.
- H. B. 441. To authorize the court of county commissioners of Russell county to appoint and employ a superintendent of public roads and bridges in said county.
February 16, read first time. February 17, read second, referred to revision of laws. February 23, reported favorably, read third, passed, signed.

- H. B. 442. To protect fish in the State of Alabama.
February 13, read first time. February 14, read second, referred to industrial resources. February 15, reported favorably, read third, passed. February 17, signed.
- H. B. 444. To protect persons dealing with minors carrying on business.
February 20, read first time. February 21, read second, referred to judiciary.
- H. B. 448. To repeal an act entitled an act to prohibit the manufacture or sale of spirituous, vinous and malt liquors within the limits of Macon county, Alabama, approved February 26, 1881, so far as the same relates to beat number 3, known as Society Hill beat, in said county.
January 24, read first time. January 25, read second, referred to temperance. January 31, reported amendments, adopted, read third, passed, (caption amended). February 1, House concurs. February 2, signed.
- H. B. 449. To amend an act entitled an act to regulate the compensation of sheriffs for the removal of prisoners, approved March 1, 1881.
February 20, read first time. February 21, read second, referred to penitentiary.
- H. B. 451. To amend section 4773 of the Code.
February 19, read first time. February 20, read second, referred to judiciary. February 21, reported amendment, adopted, read third, passed; House concurs. February 23, signed.
- H. B. 452. To regulate the payment of fines and forfeitures in Calhoun and Marshall counties.
February 20, read first time. February 21, read second, referred to revision of laws.
- H. B. 453. To repeal an act to prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, at or within

certain localities in this State, approved February 28, 1881, so far as the same relates to beat number nine (9) of Hale county.

December 8, read first time. December 9, read second and referred to temperance. December 11, reported favorably, read third, passed. December 12, signed.

- H. B. 454. To amend section 1632 of the Code, so far as relates to the county of Butler.
February 16, read first time. February 17, read second, referred to committee on industrial resources.
- H. B. 455. To amend section 5027 of the Code, so far as relates to the county of Butler.
February 17, read first time. February 19, read second, referred to industrial resources.
- H. B. 457. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for interest on the public debt and for the public schools.
December 8, read first time. December 9, read second, referred to finance. December 11, reported amendments, adopted, read third, passed. House concurs. December 12, signed.
- H. B. 458. To amend section 4359 of the Code.
February 20, read first time. February 21, read second, referred to judiciary.
- H. B. 459. To regulate the business of co-operative and mutual aid and relief associations, societies and corporations.
February 10, read first time. February 12, read second, referred to revision of laws. February 23, reported favorably, read third, passed, signed.
- H. B. 462. To amend section 4446 of the Code.
February 19, read first time. February 20, read second, referred to judiciary.

- H. B. 463. To appropriate the sum of five hundred, seventy-seven dollars and eighty-five cents to cover deficiencies in the appropriation for fuel and lights for the two years ending September 30, 1882. February 6, read first time. February 7, read second, referred to finance. February 23, reported favorably, read third, passed, signed.
- H. B. 470. To prohibit the selling or giving or otherwise disposing of intoxicating liquors, to intemperate persons or habitual drunkards, after notice given. February 20, read first time. February 21, read second, referred to judiciary.
- H. B. 475. To repeal section 3 of an act to prevent the selling of vinous, spirituous or malt liquors, beverages or bitters composed in whole or in part of such spirituous or malt liquors in the county of Bullock, except by regularly licensed druggists upon the prescription of licensed physicians, and to provide a local option law for the sale of such liquors, beverages, or bitters in incorporated towns, or cities, in said county, having a population of two hundred and fifty, or more, approved February 28, 1881, and to amend the title to the same. January 27, read first time. January 29, read second, referred to temperance. February 20, reported amendment, substitute offered and adopted, read third, passed, (caption amended.) February 21, House concurs. February 23, signed.
- H. B. 476. To provide additional compensation for the sheriff of Baldwin county. February 19, read first time. February 20, read second, referred to local legislation. February 23, reported favorably, read third, passed, signed.
- H. B. 480. To authorize the Auditor to restate the accounts of J. L. Rapier & Co., and for the payment of any balance which may be found due from the State. February 17, read first time. February 19, read second, referred to printing. February 21, reported favorably, read third, passed, signed.

- H. B. 481. To authorize the board of directors of the State Normal School and University for the colored race, at Marion, Perry county, to appropriate and expend certain educational funds in the repairing, improving and enlarging of the buildings of said normal school and university.
February 2, read first time. February 3, read second, referred to education. February 12, reported favorably, read third, passed. February 14, signed.
- H. B. 482. To incorporate the Home Real Estate and Loan Company of Selma, Alabama.
February 9, read first time. February 10, read second, referred to judiciary, February 17, reported favorably, read third, passed. February 19, signed.
- H. B. 483. To regulate the fine and forfeiture fund of Tuscaloosa county.
January 26, read first time. January 27, read second, referred to municipal and county organizations. February 13, reported amendments, adopted, read third, passed. February 14, House concurs. February 15, signed.
- H. B. 495. To prevent the violation or evasion of prohibition laws, and of the law requiring license to sell vinous, spirituous or malt liquors.
February 13, read first time. February 14, read second, referred to temperance. February 17, reported favorably, read third, passed. February 19, signed.
- H. B. 499. To compel butchers to keep a record of the marks and brands on all stock of any description by them slaughtered for sale.
February 19, read first time. February 20, read second, referred to revision of laws.
- H. B. 501. To provide a mode of contesting elections held under an act approved March 19, 1875, entitled an act to authorize probate judges in the counties of

Jackson, Clarke, Shelby, Randolph, Coosa, Winston, Fayette, Cleburne, Tuscaloosa, Monroe, Marion, DeKalb, St. Clair, Calhoun, Sanford, Jefferson, Baldwin, Cherokee, Clay, Lauderdale, Blount, and Morgan, to order elections in certain cases to prevent the sale, or giving away, or other disposition of vinous, or spirituous liquors within certain limits in such counties.

February 20, read first time. February 21, read second, referred to judiciary.

- H. B. 502. To establish a department of agriculture for the State of Alabama.

February 16, read first time. February 17, read second, referred to internal improvements. February 21, reported favorably, postponed, made special order for Friday, 10 o'clock. February 23, taken up, amended, read third, passed, House concurs, signed.

- H. B. 503. To better enforce the working of the public roads in the counties of Montgomery and Hale.

February 17, read first time. February 19, read second, referred to judiciary. February 23, reported favorably, read third, passed, signed.

- H. B. 511. To incorporate a board of trustees for the McGready Presbytery, of the Cumberland Presbyterian Church.

February 9, read first time. February 10, read second, referred to municipal and county organizations.

- H. B. 512. To amend sections 2597, 2598, 2600, 2568, 2569, 2574, 2614 of an act entitled an act to amend section 2575 of the Code of Alabama, approved December 4, 1878.*

February 15, read first time. February 16, read second, referred to judiciary.

- H. B. 516. To amend section 712 (807) of the Code.

February 20, read first time. February 21, read second, referred to judiciary.

H. B. 524. To fix the fees of justices of the peace in Butler county.

February 19, read first time. February 20, read second, referred to municipal and county organizations. February 23, reported favorably, read third, passed, signed.

H. B. 534. To exempt the organization of the grand and petit juries of the city court of Selma, which was organized at the January term, 1883, from the provisions of an act to regulate the drawing and empanneling of grand and petit juries in Dallas county, approved December 12, 1882.

February 13, read first time. February 14, read second, referred to revision of laws. February 21, reported favorably, read third, passed. February 23, signed.

H. B. 535. To amend an act to regulate the drawing and empanneling of grand and petit juries in Dallas county, approved December 12, 1882.

February 13, read first time. February 14, read second, referred to industrial resources. February 15, reported favorably, read third, passed. February 17, signed.

H. B. 536. To incorporate the White Sulphur Springs College, in DeKalb county, Alabama.

February 9, read first time. February 10, read second, referred to education. February 21, reported favorably, read third, passed. February 23, signed.

H. B. 537. To fix the time of holding the circuit courts in the sixth judicial circuit of the State of Alabama.

January 27, read first time. January 29, read second, referred to judiciary. January 30, withdrawn and recommitted to special committee. February 5, reported amendment, adopted, read third and passed, House concurs. February 6, signed.

H. B. 539. For the relief of Mary V. Anderson and Elizabeth

M. Anderson, of Greene county, minors under eighteen years of age, from the disabilities of non-age

February 13, read first time. February 14, read second, referred to judiciary.

H. B. 540. To confer police powers upon the conductors of passenger trains in this State, and to provide a punishment for a neglect of their official duties, and for other purposes.

February 20, read first time. February 21, read second, referred to judiciary. February 23, reported favorably, read third, passed, signed.

H. B. 546. To regulate the trial of misdemeanors in the county of Macon.

February 15, read first time. February 16, read second, referred to revision of laws. February 21, reported favorably, read third, passed. February 23, signed.

H. B. 547. To authorize and empower the commissioners court of Macon county to establish and define districts in said county in which stock shall be prevented from running at large, and to provide for the enforcement of the orders of said court establishing and defining said districts.

February 12, read first time. February 13, read second, referred to local legislation. February 23, reported favorably, read third and passed, signed.

H. B. 551. To amend an act entitled an act to establish a new charter for the town of Marion, in the county of Perry, approved February 16, 1870.

January 30, read first time. January 31, read second, referred to municipal and county organizations. February 13, reported favorably, read third and passed. February 15, signed.

H. B. 552. To extend the corporate limits of the city of Talladega.

February 9, read first time. February 10, read

second, referred to municipal and county organizations. February 21, reported favorably, read third, passed. February 23, signed.

- H. B. 553. To amend section 21 of an act entitled an act to establish a new charter for the city of Talladega, and to repeal all acts in contravention therewith, approved March 1, 1870.

February 9, read first time. February 10, read second, referred to municipal and county organizations. February 21, reported favorably, read third, passed. February 23, signed.

- H. B. 554. To authorize the mayor and aldermen of the city of Talladega to license and regulate hawkers, peddlers and itinerant dealers in merchandise.

February 13, read first time. February 14, read second, referred to municipal and county organizations. February 21, reported favorably, read third, passed. February 23, signed.

- H. B. 557. To levy taxes for the use of this State and the counties thereof.

February 12, read first time. February 13, read second, referred to finance. February 20, reported amendment, adopted in part, amended, read third, passed. February 21, House non-concurs, committee of conference asked, granted, reports of conference committee, concurred in by House and Senate. February 23, signed.

- H. B. 558. To provide for the assessment and collection of taxes for the use of this State and the counties thereof, and to define the duties of officers engaged about the said assessment and collection of taxes.

February 14, read first time. February 15, read second, referred to finance. February 21, motion to suspend rules to consider made and lost, reported amendment, adopted, amended, read third, passed, House concurs. February 23, signed.

- H. B. 560. To establish a separate school district to be known as "The Gadsden Public School District."
February 14, read first time. February 15, read second, referred to education.
- H. B. 561. To authorize the court of county commissioners of Conecuh county to issue the bonds of said county for an amount not exceeding ten thousand dollars, for the purpose of building a court-house in said county.
February 2, read first time. February 3, read second, referred to municipal and county organizations. February 17, reported amendment, adopted, read third, passed (caption amended). February 19, signed.
- H. B. 563. To repeal an act to amend section 1633 of the Code of Alabama, approved February 13, 1879, as to Blount, St. Clair and Etowah counties.
February 15, read first time. February 16, read second, referred to finance.
- H. B. 567. To re-transfer to the circuit court of Clarke county all indictments transferred to the county court under the act in relation to the trial of misdemeanors in Tuscaloosa and other counties therein named, approved March 19, 1875, when the judge of the county court is incompetent to try the same.
February 20, read first time. February 21, read second, referred to revision of laws. February 23, reported favorably, read third, passed, signed.
- H. B. 569. To make it unlawful for notaries public or justices of the peace to sit in judgment or try any civil cause in which such officer is employee of either plaintiff or defendant, in the cause to be tried.
February 16, read first time. February 17, read second, referred to judiciary.
- H. B. 570. To revive, renew and amend the charter of Cahaba River Bridge Company, granted February 29, 1848, and the amendments thereto.

February 16, read first time. February 17, read second, referred to industrial resources.

- H. B. 577. In aid of the exercise of the power of disposal conferred on the Legislature of Alabama by an act of Congress of June 3, 1856, entitled an act granting public lands, in alternate sections to the State of Alabama to aid in the construction of certain railroads in said State.

February 1, read first time. February 2, read second, referred to special committee. February 7, reported amendment, adopted, postponed, special order for Saturday next, 150 copies ordered printed. February 10, read third, amended by unanimous consent, interrupted by unfinished business. February 12, recommitted to finance. February 20, reported amendment, adopted, read third, passed, House concurs. February 21, signed.

- H. B. 578. To amend an act to establish a new charter for the city of Birmingham, approved March 1, 1881.

February 12, read first time. February 13, read second, referred to municipal and county organizations. February 14, reported favorably, read third, passed. February 16, signed.

- H.B. 579. To define the jurisdiction of justices of the peace and of notaries public who are *ex officio* justices of the peace of precinct 21, in Jefferson county, and to provide for the service of all process from their courts.

January 31, read first time. February 1, read second, referred to local legislation. February 10, reported favorably, read third, passed. February 13, signed.

- H. B. 584. To prevent fence-breaking animals from running at large.

February 15, read first time. February 16, read second, referred to industrial resources.

- H. B. 585. To incorporate the town of Browneville.
February 17, read first time. February 19, read second, referred to municipal and county organizations. February 21, reported favorably, read third, passed. February 23, signed.
- H. B. 586. To incorporate the Alabama Chemical and Mining company.
February 10, read first time. February 12, read second, referred to internal improvements. February 23, reported favorably, read third, passed, signed.
- H. B. 588. To increase the powers of the mayor and aldermen of the city of Huntsville.
February 27, read first time. January 29, read second, referred to special committee. January 30, reported favorably, read third, passed. January 31, signed.
- H. B. 590. To appropriate the sum of seven thousand five hundred dollars to be expended in the making of necessary repairs upon the building belonging to the State of Alabama, located at Mobile, and known as the Medical College of Alabama.
February 6, read first time. February 7, read second, referred to finance. February 17, reported favorably, read third, passed. February 19, signed.
- H. B. 596. To regulate the mode of selecting, drawing and empanneling grand and petit juries for the county of Mobile.
February 13, read first time. February 14, read second, referred to industrial resources. February 15, reported favorably, read third, passed. February 20, signed.
- H. B. 597. To amend section two (2) of an act to provide for the compensation of jurors in Mobile county, approved December 7, 1882.
January 30, read first time. January 31, read second, referred to municipal and county organizations.

- H. B. 598. To amend section 2, of an act to amend an act entitled an act to establish an inferior court of criminal jurisdiction for the county of Mobile and to define the jurisdiction of the justices of the peace in said county, approved February 23, 1881.
January 30, read first time. January 31, read second, referred to municipal and county organizations.
- H. B. 599. To regulate the collection of debts secured by a pledge of personal property or securities, by sale of the property, or securities so in pledge.
February 19, read first time. February 20, read second, referred to judiciary. February 23, reported favorably, read third, passed, signed.
- H. B. 611. To amend section 2252 of the Code of Alabama.
February 20, read first time. February 21, read second, referred to revision of laws.
- H. B. 612. To repeal sections 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241 and 242 of the Code of Alabama.
January 31, read first time. February 1, read second, referred to privileges and elections.
- H. B. 613. To fix the fees of the circuit clerk of Bullock and Tuscaloosa counties in civil cases.
January 19, read first time. January 20, read second, referred to judiciary. February 21, reported favorably, amended, read third, passed; House concurs. February 23, signed.
- H. B. 613½. Joint memorial of the General Assembly of Alabama to the Congress of the United States, praying for the passage of a bill to aid in the construction of the Gulf and Chicago Air Line railroad.
February 3, referred to Federal relations. February 13, reported favorably, concurred in. February 17, signed.
- H. B. 618½. To provide for the compensation of sheriffs in the seventh judicial circuit for attendance upon chancery and circuit courts.

February 15, read first time. February 16, read second, referred to revision of laws.

- H. B. 620. To amend an act to amend section 5025 of the Code, so far as the same relates to the county of Blount.

February 15, read first time. February 16, read second, referred to revision of laws. February 23, reported favorably, read third, passed, signed.

- H. B. 621. To amend the charter of the town of Union Springs.

January 31, read first time. February 1, read second, referred to special committee. February 2, reported amendment, adopted, read third, passed. February 6, House amends Senate amendments and concurs, Senate concurs. February 8, signed.

- H. B. 622. To amend an act, approved December 12, 1882, and entitled an act to amend an act entitled an act for the protection of lands and plantations from depredations by stock in Bullock county, approved December 8, 1880.

January 31, read first time. February 1, read second, referred to local legislation. February 10, reported amendment, adopted, read third, passed. February 12, House concurs. February 13, signed.

- H. B. 623. To authorize and empower the commissioners court of Calhoun and Jefferson counties to allow increased pay to the circuit clerk for his services. February 17, read first time. February 19, read second, referred to finance. February 23, reported favorably, read third, passed, signed.

- H. B. 626. To make an appropriation to pay the costs in civil suits instituted by the State, in which the State is cast.

February 7, read first time. February 8, read second, referred to judiciary. February 10, reported favorably, read third, recommitted to finance.

- H. B. 630. To amend section 4153 of the Code of Alabama.
February 20, read first time. February 21, read second, referred to judiciary.
- H. B. 633. For the relief of Wm. J. Rountree, sheriff of Dallas county.
February 19, read first time. February 20, read second, referred to local legislation. February 23, reported favorably, read third, lost.
- H. B. 634. To prevent fishing in the waters of Dallas county, except in the Alabama and Cahaba rivers.
February 13, read first time. February 14, read second, referred to local legislation.
- H. B. 638. To amend section 3711 of the Code.
February 20, read first time. February 21, read second, referred to judiciary.
- H. B. 642. To repeal an act to prohibit the sale and giving away of whisky, or other intoxicating liquors, within six miles of the Baptist church in the village of McKinley, in Marengo county.
February 15, read first time. February 16, read second, referred to temperance. February 17, reported favorably, read third, passed. February 19, signed.
- H. B. 644. To amend section 3893 of the Code.
February 20, read first time. February 21, read second, referred to judiciary.
- H. B. 645. To amend section 3219 of the Code.
February 20, read first time. February 21, read second, referred to revision of laws.
- H. B. 649. To authorize the board of revenue and road commissioners of Mobile county to increase the compensation of the Treasurer of Mobile county.
January 30, read first time. January 31, read second, referred to finance. February 3, reported favorably, read third, passed. February 6, signed.

- H. B. 651. To amend subdivision 4 of section 31, article 3, of chapter 2 of an act entitled "An act to organize and regulate a system of public instruction for the State of Alabama," approved February 7, 1879.
February 3, read first time. February 5, read second, referred to education.
- H. B. 654. To make an appropriation to pay the *per diem* and expenses of the special joint committee to revise the revenue law of the State.
February 6, read first time. February 7, read second, referred to finance. February 16, reported favorably, read third, passed. February 17, signed.
- H. B. 656. To incorporate a company for the production and manufacture of iron and steel, to be entitled the Alamet Iron Company.
February 15, read first time. February 16, read second, referred to internal improvements.
- H. B. 658. To amend section 4373 of the Code.
February 5, read first time. February 6, read second, referred to judiciary.
- H. B. 660. To declare the legal obligation of sureties on official bonds.
February 19, read first time. February 20, read second, referred to judiciary. February 23, reported favorably, read third, passed, signed.
- H. B. 661. To authorize the investment of certain revenues in the adjustment and settlement of the indebtedness of the counties of Chambers, Lee, Pickens, Randolph and Tallapoosa, incurred on account of stock subscribed to railroad companies.
February 3, read first time, 150 copies ordered printed. February 5, read second, referred to special committee on debt subject. February 7, reported substitute, postponed, made special order for to-morrow 12 o'clock, 150 copies of substitute ordered printed. February 9, substitute

amended, adopted, read third, passed. February 10, House concurs. February 12, signed.

- H. B. 665. To amend sections 3, 4 and 6 of an act entitled "An act to regulate the fine and forfeiture fund of certain counties," approved February 13, 1879, so far as the same applies to Bullock county.

February 19, read first time. February 20, read second, referred to revision of laws. February 23, reported favorably, read third, passed, signed.

- H. B. 666. For the relief of J. B. Simpson, A. Lehman, James McFerrin, Caswell Ellington, Job Thigpen and A. M. Crum, as sureties on the official bond of Joseph M. Thigpen, county superintendent of education of Butler county.

February 13, read first time. February 14, read second, referred to industrial resources. February 15, motion to reconsider postponed, made special order for to-morrow. February 19, motion to reconsider postponed, made special order for to-morrow. February 21, taken up, reconsidered, read third, passed. February 23, signed.

- H. B. 667. To repeal an act to prohibit the sale, giving away, or otherwise disposing of alcoholic, vinous or other malt liquors within three miles of the Baptist church of Garland, in Butler county, Alabama.

February 15, read first time. February 16, read second, referred to temperance.

- H. B. 671. To authorize the superintendent of township 5, range 12, west, in Colbert county, to sell certain lands.

February 2, read first time. February 3, read second, referred to education. February 12, reported favorably, read third, passed. February 14, signed.

- H. B. 681. To provide for the safe keeping of the money in the treasury of the State.

February 5, read first time. February 6, read

second, referred to finance, 150 copies ordered printed.

- H. B. 683. To amend subdivision *k* of section 5030 of the Code, in relation to the fees of judges of probate. February 19, read first time. February 20, read second, referred to committee on revision of laws. February 23, reported favorably, read third, passed, signed.
- H. B. 684. To amend an act entitled "An act to prohibit the owner of any horse, mule, ass, cow, hog, sheep or goat from allowing any such animal to go at large off the premises of such owner in Montgomery county, except certain portions enumerated and defined herein, and to prescribe a rule of damages and rules of practice in the trial of cases arising under this act," approved December 8, 1880. February 20, read first time. February 21, read second, referred to joint committee on strangled counties. February 23, reported favorably, read third, passed, signed.
- H. B. 686. For the relief of Edward P. Herpin, of the county of Mobile. February 6, read first time. February 7, read second, referred to local legislation. February 10, reported favorably, read third, passed. February 13, signed.
- H. B. 690. To refund to R. H. Little, R. M. Pilgreen and William Mosteller, of Shelby county, Alabama, certain moneys paid out for license to deal in lager beer. February 15, read first time. February 16, read second, referred to temperance. February 21, reported favorably, read third, passed. February 23, signed.
- H. B. 691. To make Newton Eddings a citizen of Shelby county, Alabama. February 15, read first time. February 16, read second, referred to internal improvements.

H. B. 698. To amend sections 1, 2 and 3 of an act entitled an act to authorize commissioners court of Barbour county to establish or abolish districts in which stock may be prevented from running at large, approved December 12, 1882, and to change the title of said act.

February 12, read first time. February 13, read second, referred to municipal and county organizations.

H. B. 699. To prevent the sale or giving away of vinous, spirituous or malt liquors or intoxicating beverages in the county of Choctaw, except by regularly licensed physicians, and to provide penalties for the violation thereof.

February 15, read first time. February 16, read second, referred to temperance. February 17, reported favorably, read third, passed. February 19, signed.

H. B. 701. To amend an act to incorporate the Southern University at Greensboro, in the county of Greene, and for other purposes, passed January 25, 1856.

February 2, read first time. February 3, read second, referred to special committee. February 14, reported amendments, adopted, read third, passed. February 16, House concurs. February 16, signed.

H. B. 702. To repeal an act to authorize the commissioners court, or court or board of county revenues of the counties of Marengo, Sumter, Montgomery, Hale, Dallas, Autauga, Wilcox, Lowndes, Russell, Monroe, Lawrence and Perry, to establish or abolish districts in which stock may be prevented from running at large, so far as the same relates to Dallas county.

February 6, read first time. February 7, read second, referred to local legislation.

H. B. 703. To amend section 4849 of the Code.

February 20, read first time. February 21, read second, referred to judiciary.

- H. B. 707. For the relief of Oliver M. Smith, late tax collector of Jefferson county.
February 7, read first time. February 8, read second, referred to finance. February 17, reported favorably, read third, passed. February 19, signed.
- H. B. 708. To repeal an act to incorporate the town of Waterloo, in Lauderdale county, approved February 26, 1872.
February 10, read first time. February 12, read second, referred to municipal and county organizations. February 14, reported favorably, read third, passed. February 15, signed.
- H. B. 711. To alter and amend the charter of the city of Huntsville, as established by an act approved March 3, 1870, entitled an act to establish a new charter for the city of Huntsville, and an act approved February 17, 1871, entitled an act to amend an act to establish a new charter for the city of Huntsville.
February 14, read first time. February 15, read second, referred to local legislation. February 17, reported favorably, postponed, made special order after journal Tuesday next. February 20 taken up, read third, passed. February 21, signed.
- H. B. 712. To amend an act to secure the keeping in repair and of closing gates erected across public roads.
February 17, read first time. February 19, read second, referred to industrial resources.
- H. B. 713. To repeal an act to amend section 5030 (3517) of the Code.
February 20, read first time. February 21, read second, referred to finance.
- H. B. 714. To prescribe the duties of the tax collector of Marshall county as to appointments, &c., for the collection of taxes.
February 15, read first time. February 16, read

second, referred to finance. February 23, reported favorably, with amendment, adopted, read third, passed (caption amended). February 23, House concurs, signed.

H. B. 717. To incorporate the Bienville Water Supply Company.
February 10, read first time. February 12, read second, referred to municipal and county organizations. February 15, reported favorably, read third, passed. February 17, signed.

H. B. 718. To amend sections 4346, 4347, 4348 and 4349 of the Code.
February 19, read first time. February 20, read second, referred to judiciary.

H. B. 719. To authorize John A. Lile, J. Council Baker and J. N. Wade, securities of S. M. Smith, tax collector of Morgan county for the years 1875, 1876 and 1877, to collect the unpaid taxes for said years for the purpose of reimbursing them for moneys paid the State.
February 14, read first time. February 15, read second, referred to finance. February 23, reported favorably, read third, passed, signed.

H. B. 724. To compensate sheriffs for feeding prisoners after they are sentenced to be confined in the penitentiary.
February 19, read first time. February 20, read second, referred to penitentiary.

H. B. 725. To provide for the compensation of sheriffs for the removal of prisoners when arrested under attachment for contempt.
February 19, read first time. February 20, read second, referred to penitentiary.

H. B. 732. To prevent the firing, shooting or exploding fire works of any character in or along the public highways in the counties of Pike, Clarke and Montgomery.

February 13, read first time. February 14, read second, referred to judiciary. February 21, reported favorably, amended, read third, passed, House concurs (caption amended). February 23, signed.

H. B. 734. To fix the time for holding the circuit courts in St. Clair county.

February 13, read first time. February 14, read second, referred to revision of laws. February 21, reported favorably, read third, passed. February 23, signed.

H. B. 743. In execution of the powers of the State of Alabama in relation to the lands granted to the State, which are within fifteen miles from, and on each side of the line of the railroad, heretofore known as the Alabama and Chattanooga Railroad, by the act of Congress of June 3d, 1856, entitled an act granting public lands in alternate sections to the State of Alabama, to aid in the construction of certain railroads in said State; and the act of Congress of April 10, 1869, entitled an act to renew certain grants of land to the State of Alabama.

February 10, read first time. February 12, read second, referred to finance. February 17, reported amendments, postponed, made special order for Monday next. February 19, amendments adopted, (caption amended), read third, passed, House concurs. February 20, signed.

H. B. 745. To authorize the Governor of the State to suspend sheriffs and tax collectors from exercising the functions of the office in cases of dereliction of duty.

February 5, read first time. February 6, read second, referred to judiciary.

H. B. 746. To amend sub-division 3 of section 109 of the Code.

February 19, read first time. February 20, read second, referred to judiciary.

- H. B. 747. To amend section 37 of an act entitled an act for the organization and discipline of the volunteer forces of Alabama, approved March 1, 1881.
February 17, read first time. February 19, read second, referred to military. February 21, reported favorably, read third, passed. February 23, signed.
- H. B. 749. To regulate the trial of misdemeanors in the county of Bibb.
February 20, read first time. February 21, read second, referred to judiciary.
- H. B. 750. To provide for the speedy trial of persons charged with misdemeanors in the county of Bibb.
February 20, read first time. February 21, read second, referred to industrial resources.
- H. B. 752. To regulate the fees of circuit solicitors in county courts.
February 20, read first time. February 21, read second, referred to judiciary. February 23, reported favorably, read third, passed, signed.
- H. B. 755. For the relief of maimed or disabled soldiers.
February 19, read first time. February 20, read second and referred to finance. February 23, reported amended, adopted, read third, passed. February 23, House concurs, signed.
- H. B. 756. To amend an act entitled an act to secure more effectually competent and well qualified jurors in the counties of Montgomery, Lowndes, Autauga, Dallas, Perry and Bullock, approved December 19, 1876, as to Bullock and Montgomery counties.
February 15, read first time. February 16, read second, referred to judiciary.
- H. B. 759. To amend section 794 of the Code of Alabama.
February 17, read first time. February 19, read second, referred to judiciary.
- H. B. 763. To provide for the survey and locating the line between the counties of Cherokee and Cleburne.

February 6, read first time. February 7, read second and referred to special committee. February 8, reported favorably, read third, passed. February 10, signed.

H. B. 772. To form a separate school district in the territory east of Shoal Creek, in township 2, range 10, west, in the county of Lauderdale.
February 15, read first time. February 16, read second, referred to education. February 21, reported favorably, read third, passed. February 23, signed.

H. B. 773. To authorize an election to prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters, in the county of Lee.
February 15, read first time. February 16, read second and referred to temperance. February 20, reported amendment, adopted, read third, passed, (caption amended), House concurs. February 21, signed.

H. B. 779. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating bitters or beverages, at or within certain localities in this State hereinafter designated, to-wit: At or within the bounds of Pleasant Site beat, in Franklin county, Alabama, and at or within five miles of the railway station house at Beaver Meadow, in the county of Mobile; and at or within three miles of Harmony church, in Blount county, and at or within two miles of Victoria church, in Coffee county, and at or within six miles of Beulah Academy, in Beat No. 1, Lee county, and at or within two miles of Shiloh church, in Blount county, and at or within a radius of three miles of Cowikee Baptist church, and one and one-half miles of Providence church, in Barbour county, and at or within three miles of Sandy Point church, in Barbour county, and in Mount Meigs beat, in Montgomery county, and in that portion of Shelby county lying west of a

line one mile east of west line of range 3, west, in township 22-21, and that portion of township south which lies south of the Cahaba river, and in district No. 4, in Washington county, and at or within two miles of Shady Grove church and school-house, in Pike county (except in Linwood), and at or within three miles of Liberty church, in Madison county, and at or within $3\frac{1}{2}$ miles of Asbury church, in Beat No. 8, in Calhoun county, and at or within four miles of White Plains Academy, in Chambers county, and at or within beat No. 4, Shelby county, and at or within four miles of Deatsville, Elmore county, and at or within four miles of Mt. Zion, Providence and Fair Prospect churches, in beat No. 8, and Mount Lebanon church, beat No. 14, in Montgomery county, and at or within township 12, range 18, in Montgomery county, and at or within five miles of Scott's Station postoffice, in Perry county, and at or within two miles of Whistler, in Mobile county, and at or within Pence's beat, Plantersville beat, Woodlawn beat, and within township 13 of range 11, and within five miles of Liberty church, and within five miles of Minter Station, Dallas county, and Mount Pleasant Baptist church, Richard's beat, Barbour county.

February 19, read first time. February 20, read second, amended, referred to temperance. February 21, reported amendment, adopted, read third, amended by unanimous consent, passed, House non-concurs, committee of conference asked and acceded to. February 23, House concurs in reports of committee of conference, Senate committee of conference reports and Senate concurs, signed.

- H. B. 783. To amend section 9 of an act to incorporate the town of Tuskegee, in the county of Macon, and for other purposes, approved March 15, 1873. February 9, read first time. February 10, read second, referred to municipal and county organizations. February 12, reported favorably, read third, passed. February 13, signed.

- H. B. 784. To repeal an act to authorize the court of county commissioners of Marengo county to levy a special tax to build and repair bridges in said county or to issue county treasury notes for that purpose, approved February 21, 1866.
February 6, read first time. February 7, read second, referred to municipal and county organizations. February 14, reported favorably, read third, passed. February 15, signed.
- H. B. 787. To authorize the Governor to offer a reward in certain cases.
February 3, read first time. February 5, read second, referred to judiciary.
- H. B. 788. To carry into effect any plan or scheme for the compromise, adjustment and settlement of the existing indebtedness of the late corporation known as the city of Selma, which may be agreed upon between the creditors of the said city of Selma and the commissioners of the city of Selma, appointed under and by virtue of an act to vacate and annul the charter and dissolve the corporation of the city of Selma, and to provide for the application of the assets thereof to the payment of the debts thereof, approved December 11, 1882.
February 12, read first time. February 13, read second, referred to municipal and county organizations. February 15, reported favorably, read third, passed. February 19, signed.
- H. B. 796. To repeal section six (6) of an act entitled an act to regulate the fine and forfeiture fund of certain counties, approved February 13, 1879, so far as Blount county is concerned.
February 17, read first time. February 19, read second, referred to revision of laws.
- H. B. 797. To amend sections 3, 4, 8 and 11, of an act to incorporate the city of Greenville, approved March 9th, 1871.
February 17, read first time. February 19, read second, referred to municipal and county organ-

izations. February 23, reported favorably, read third, passed, signed.

H. B. 802. To authorize private business corporations which may hereafter be organized under the provisions of article 7, chapter 1, part 2, title 1, of the Code, to hold stockholders and directors meetings, and do corporate acts in other States of the Union. February 10, read first time. February 12, read second, referred to judiciary. February 21, reported favorably, read third, passed. February 23, signed.

H. B. 811. To require of the Governor to have made or purchase for the use of the State, a fire-proof safe for the deposit of State securities and other funds of the State under regulations herein required. February 19, read first time. February 20, read second, referred to finance. February 21, reported substitute, adopted (caption amended), read third, passed, House concurs. February 23, signed.

H. B. 818. To empower the court of county commissioners of Hale county to extend the limits of the Canebrake Agricultural District in said county, or to establish new and separate agricultural districts in said county upon petition of a majority of land owners in any beat or district to be affected thereby. February 14, read first time. February 15, read second, referred to local legislation. February 23, reported amendment, adopted, read third, passed. February 23, House concurs, signed.

H. B. 821. Regulating fines and forfeitures in Jefferson, Marshall and Monroe counties. February 16, read first time. February 17, read second and referred to revision of laws. February 21, reported amendment, adopted (caption amended), read third, passed, House concurs. February 23, signed.

- H. B. 831. To relieve Claudia Shaw, of Macon county, from the bonds of matrimony.
February 15, read first time. February 16, read second, referred to judiciary. February 21, reported favorably, read third, passed. February 23, signed.
- H. B. 834. To authorize the issue of a bond of class A, in substitution of a bond numbered 2066 of the issue of bonds under the act approved December 4, 1832, to establish a branch of the bank of the State of Alabama in the city of Mobile.
February 15, read first time. February 16, read second, referred to finance. February 21, reported favorably, read third, passed. February 23, signed.
- H. B. 836. To make an appropriation to pay for clerical expenses to the joint committee to examine offices of Auditor and Treasurer, as provided for in sections 34, 35, 36 and 37 of the Code, said expenses being authorized under joint resolution of the General Assembly, passed December, 1882.
February 16, read first time. February 17, read second, referred to finance. February 23, reported favorably, read third, passed, signed.
- H. B. 841. To constitute the town of Decatur as a separate school district.
February 15, read first time. February 16, read second, referred to education. February 23, reported favorably, read third and passed, signed.
- H. B. 846. To render null and void the relation of husband and wife heretofore existing between Sanders Biggins and Phillis Biggins.
February 15, read first time. February 16, read second, referred to judiciary. February 23, reported without recommendation, read third, passed, signed.
- H. B. 853. To provide for the collection, by suit, of any money of the State of Alabama illegally used by any

public officer of the State, or illegally received by any person, partnership or corporation from any public officer, or from any dispositive or custodian of any of the money of the State.

February 10, read first time. February 12, read second, referred to judiciary. February 21, reported favorably, read third, passed. February 23, signed.

H. B. 854. To authorize the Governor to employ an expert accountant to audit and examine the books, accounts and vouchers of all public officers who receive and pay out any of the public funds.

February 19, read first time. February 20, read second and referred to finance. February 23, reported amendments, adopted, read third, passed, House concurs, signed.

H. B. 859. To amend sub-division one (1), of section 13, of article 3, of the act to organize and regulate a system of public instruction for the State of Alabama.

February 16, read first time. February 17, read second, referred to education. February 23, reported favorably, read third, passed, signed.

H. B. 861. To exempt the stock of parties living in Barbour county from liability for depredation upon the lands in Bullock county where stock is prohibited from running at large.

February 16, read first time. February 17, read second and referred to industrial resources. February 23, reported favorably, read third, passed, signed.

H. B. 868. To amend sections six (6) and fourteen (14) of an act entitled an act to incorporate the town of Ozark, in the county of Dale, approved March 19, 1873.

February 17, read first time. February 19, read second, referred to municipal and county organizations. February 23, reported favorably, read third, passed, signed.

- H. B. 871. To prescribe the amount to be paid for board and care of certain pay patients in the Insane Hospital of Alabama at Tuscaloosa.
February 16, read first time. February 17, read second, referred to municipal and county organizations.
- H. B. 873. To authorize the court of county commissioners of Hale county to furnish tools for working the public roads.
February 19, read first time. February 20, read second, referred to local legislation. February 23, reported favorably, read third, passed, signed.
- H. B. 883. To amend an act to prescribe the manner in which claims against the fine and forfeiture fund of Macon county shall be paid.
February 17, read first time. February 19, read second, referred to judiciary.
- H. B. 884. To provide for the prosecution of misdemeanants in the county court of Marengo county.
February 17, read first time, February 19, read second, referred to judiciary. February 23, reported favorably, read third, passed, signed.
- H. B. 886. To make appropriations for the payment of the railroad commissioners and their clerk, and for other expenses of the railroad commission.
February 16, read first time. February 17, read second, referred to finance. February 23, reported favorably, read third, passed, signed.
- H. B. 888. To amend subdivision eighteen of section one of an act entitled an act to make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for interest on the public debt, and for public schools, approved December 12, 1882.
February 16, read first time. February 17, read second, referred to finance. February 23, reported favorably, read third, passed, signed.

- H. B. 889. For the compensation of the assistant librarian for the fiscal year ending September 30, 1883, and September 30, 1884, respectively.
February 16, read first time. February 17, read second, referred to finance. February 23, reported favorably, read third, passed, signed.
- H. B. 900. To relieve Albert Roman, a citizen of Barbour county, of his legal disabilities.
February 17, read first time. February 19, read second, referred to judiciary.
- H. B. 901. To prohibit the hiring of county convicts outside of or beyond the limits of Dallas county.
February 14, read first time. February 15, House requests return of, and Senate returns.
- H. B. 904. To revive and continue in force the charter of the Chickasaw, Birmingham and Tuscaloosa Railroad, Mining and Manufacturing company, a company chartered under the general law and empowered to mine and manufacture; and also to fix the rate of passage transportation by an act approved March 6, 1876.
February 16, read first time. February 17, read second, referred to judiciary. February 23, reported substitute, adopted (caption amended), read third, passed; House concurs; signed.
- H. B. 905. To amend section 573 of the Code.
February 19, read first time. February 20, read second, referred to judiciary. February 21, reported favorably, read third, passed. February 23, signed.
- H. B. 906. To punish persons constructing or repairing railroads who throw timber or other obstructions into, or across streams and culverts.
February 17, read first time. February 19, read second, referred to judiciary.
- H. B. 908. To amend section seventy (70) of the Code.
February 19, read first time. February 20, read second, referred to revision of laws.

- H. B. 910. To repeal section 2126 of the Code of Alabama.
February 19, read first time. February 20, read second, referred to judiciary.
- H. B. 911. To enable the township superintendent of education of township 16, range seventeen, Montgomery county, and the county superintendent of education of said county, to sell the public school property of said school district, located in the city of Montgomery, and to divide and re-invest the proceeds thereof.
February 15, read first time. February 16, read second, referred to special committee. February 21, reported favorably, read third, passed. February 23, signed.
- H. B. 912. To provide a fund for support of the supreme court library with appropriation from the treasury.
February 17, read first time. February 19, read second, referred to judiciary. February 21, reported favorably, read third, passed. February 23, signed.
- H. B. 913. To make an appropriation for the purpose of making necessary additions and accommodations for the keeping and filing of the books, records and papers, and property of the State, in the offices of Secretary of State and State Auditor.
February 16, read first time. February 17, read second, referred to finance. February 23, reported favorably, read third, passed, signed.
- H. B. 920. To amend section one of an act to regulate the compensation of sheriffs for the removal of prisoners, approved March 1, 1881.
February 19, read first time. February 20, read second and referred to penitentiary.
- H. B. 926. To secure the payment of money due for the hire of county convicts.
February 20, read first time. February 21, read second, referred to penitentiary.
- H. B. 930. Relative to the final adjournment of the General Assembly.
February 15, concurred in.

HOUSE JOINT RESOLUTIONS AND MEMORIALS.

(UNNUMBERED.)

Appointing a joint committee to wait on the Governor and inform him of the organization of the General Assembly.

November 14, Senate concurs.

In relation to the lunch stands in the rotunda.

November 16, concurred in.

In relation to the opening and counting of the votes cast for State officers.

November 16, concurred in.

Appointing a joint committee to ascertain and report what bills are local and special under the constitution.

November 16, concurred in. November 23, committee report.

Raising a joint committee on immigration.

November 18, adopted.

Raising a joint committee on sheriffs' fees.

November 18, adopted.

Raising a joint committee to report joint rules for the government of the two houses.

November 20, concurred in. November 22, committee report.

Appointing a joint committee on admissions to the bar, with instructions to confer with a committee on the part of the Alabama State Bar Association; said committee to report any measure necessary to preserve the purity and elevate the tone of the bar of the State.

November 21, concurred in.

Fixing the time of the inauguration of the Governor elect, Hon. E. A. O'Neal, and proposing a committee thereon.

November 23, concurred in.

Proposing a joint committee in regard to a general law restricting the liquor traffic in this State.

November 24, concurred in.

Memorial asking aid from the federal government for educational purposes.

November 24, referred to federal relations. December 1, reported favorably, concurred in. December 11, signed.

Appointing a joint committee to investigate the convict system, etc.

November 28, made special order for Friday next at 11 o'clock (p. 136). November 29, reconsidered, amended, concurred in (p. 143). December 1, House refused to concur, Senate insists and requests a committee of conference thereon (p. 151). December —, House accedes (p. 158). December 4, conference committee report concurred in by House and Senate (pp. 166-167). December 6, committee report and are discharged.

Relative to the inauguration of the Governor elect.

November 29, concurred in.

Relative to a recess of the General Assembly.

December 1, received. December 2, concurred in.

Relative to printing the report of the warden of the penitentiary.

December 4, concurred in.

Relative to the establishment of a department of agriculture, and appointing a joint committee thereon.

December 5, concurred in. December 6, committee appointed.

Authorizing the joint committee on the revenue system to employ a clerk.

December 11, concurred in.

Memorial to Congress relating to the disposal of mineral lands in Alabama.

December 11, received.

Providing for the hiring of convicts.

December 12, received (p. 240), indefinitely postponed (p. 250).

Relative to the appointment of a joint committee on the convict system.

December 12, received (p. 240), indefinitely postponed (p. 249).

To appoint a joint committee to notify the Governor of the reassembling of the General Assembly.

January 24, Senate concurs.

Directing the Attorney-General to inquire into the reason why the Savannah & Memphis (now Columbus & Western) Railroad Company has not been completed.

January 30, concurred in.

To appoint a joint committee to investigate the accounts of the State Treasurer.

January 31, concurred in.

Authorizing the appointment of a suitable person to receive moneys due the State.

January 31, referred to finance. February 15, committee made a report, which is tabled.

Authorizing the Governor to offer in cases of enormous crime a reward, &c.

January 31, referred to judiciary.

Sustaining the Governor in offering a reward not exceeding \$5,000 for the arrest of the defaulting treasurer.

February 3, concurred in.

Requesting the Governor to furnish information in reference
to certain bonds.

February 10, Senate concurred in.